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FIFTEENTH ANNUAL REPORT

OF THE

BOARD OF CLAIMS

AND THE

FIRST ANNUAL REPORT

OF THE

COURT OF CLAIMS.

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TRANSMITTED TO THE LEGISLATURE JANUARY 5, 1898.

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WYNKOOP HALLENBECK CRAWFORD Co.,  
STATE PRINTERS,  
NEW YORK AND ALBANY.

1898.

JUN 28 1916



# STATE OF NEW YORK.

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No. 6.

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## IN SENATE,

JANUARY 5, 1898.

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### Fifteenth Annual Report of the Board of Claims and First Annual Report of the Court of Claims.

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STATE OF NEW YORK:

COURT OF CLAIMS,  
CLERK'S OFFICE, ALBANY, *January 4, 1898.* }

HON. TIMOTHY L. WOODRUFF, *President of the Senate:*

DEAR SIR.— Herewith I have the honor to transmit to you, for the Legislature of the State of New York, the Fifteenth Annual Report of the Board of Claims and the First Annual Report of the Court of Claims of the State of New York, as required by law.

Very respectfully yours,

ANDREW HAMILTON,

*Clerk Court of Claims.*



# REPORT.

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*To the Legislature of the State of New York:*

The Board of Claims of the State of New York was created under chapter 205, Laws of 1883, and organized on June 4th of the same year. Under said act the Board was required "at the commencement of each session of the Legislature and at such other times during each session of the Legislature as it may deem proper, or as the Senate or Assembly may request," to report "to the Legislature the cases upon which it has finally acted, with the statement of the award in each case."

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## COURT OF CLAIMS.

Chapter 36 of the Laws of 1897 became a law on March 9th and provided "The Board of Claims is continued and shall hereafter be known as the Court of Claims."

The Court is required to make the same report as the Board.

In accordance with the foregoing provisions of the law, the following report is submitted as the Fifteenth Annual Report of the Board of Claims and the First Annual Report of the Court of Claims.

The statement contains a list of the claims that have been heard and decided since the date of the last annual report, January 20, 1897.

## Awards Made by the Board of Claims.

NAME OF CLAIMANT.	Amount Claimed.	Amount of Award.
Alexander Stodolink .....	\$5,472 00	\$750 00
Leopold Marcus et al.....	1,812 17	1,862 17
Michael F. Cushing.....	150 00	70 00
Catharine Doren.....	350 00	100 00
Lemuel W. Burton .....	317 00	80 00
Horace Dibble.....	660 00	95 00
Eliza Gay.....	636 00	100 00
George H. Newton .....	515 00	100 00
John Bray .....	5,933 00	Nothing.

## Judgments Made by the Court of Claims.

NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
William C. Rodgers .....	\$505 00	\$200 00
Daniel Terrance.....	1,000 00	400 00
Libbie Barrett, as admrx., etc, final judgment upon decision and remittitur of the Court of Ap- peals in an appeal from an award of the Board of Claims of \$50, made April 13, 1894: Judgment for damages, \$350; costs in Court of Appeals, \$184; total ..	1,040 00	534 00
Thomas H. Slavin, final judgment upon decision and remittitur of the Court of Appeals in an ap- peal from an award of the Board of Claims of \$25, made April 13, 1894: Judgment for damages, \$330; costs in Court of Appeals, \$184; total.....	522 00	514 00
L. G. Burton.....	408 00	408 00
Henry Kraft.....	640 74	640 74
Frances A. Brown.....	1,000 00	300 00
Jacob D. Wood.....	1,750 00	500 00
The County of Essex.....	7,046 15	7,046 15
Mortimer Murphy.....	25,000 00	3,500 00
Augustus T. Burke.....	4,165 00	3,000 00
John P. Angus .....	200 00	60 00
John P. Angus .....	200 00	60 00
Armenia Quick .....	240 00	100 00
Armenia Quick .....	100 00	100 00

## JUDGMENTS MADE BY THE COURT OF CLAIMS — (Continued).

NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
Jay Vroman.....	\$215 00	\$175 00
Mary Quick Charles.....	140 00	100 00
The Long Island Railroad Company	22,344 63	21,470 00
Clark L. Kinney.....	362 00	250 00
J. Cooper Moyer.....	821 70	500 00
The Methodist Episcopal Church, a religious corporation of New York Mills, county of Oneida and State of New York .....	105 00	105 00
The Presbyterian Church Society, a religious corporation of New York Mills, county of Oneida and State of New York .....	280 00	280 00
The Welsh Congregational Church, an unincorporated religious as- sociation of more than seven members, of New York Mills, county of Oneida and State of New York.....	35 00	35 00
Augustus Scharleau.....	425 00	210 00
Sarah M. Kearney et al.....	5,920 00	900 00
Edward M. Sage & ano.....	700 00	70 00
Margaret L. Gorman et al.....	16,000 00	3,500 00
George W. McBride.....	1,440 00	75 00
Simon D. Paddock .....	6,000 00	900 00
Nathan Rhein .....	500 00	500 00
William H. Gilbert.....	2,372 61	Judgment for State.
John J. McLean .....	11,445 96	Judgment for State.
Carrie V. Linkie.....	5,000 00	Judgment for State.
Charles E. Linkie.....	2,721 00	Judgment for State.
John Jago.....	1,152 00	Judgment for State.
Margaret Dwyer.....	462 00	Judgment for State.
Margaret Dwyer.....	300 00	Judgment for State.
Margaret Dwyer.....	200 00	Judgment for State.
John E. Pidgeon... ..	3,988 92	Judgment for State.
The Board of Supervisors of Cay- uga county, final judgment upon decision and remittitur of the Court of Appeals affirming award of the Board of Claims made Dec. 21, 1887, with costs: Judgment, \$8,383.24; costs, \$108 .....	10,476 18	\$8,491 24
John Roberts .....	138,976 54	7,500 00
John E. Burke.....	916 63	916 63
The Quincy Mining Company ....	7,260 64	5,470 00

## JUDGMENTS MADE BY THE COURT OF CLAIMS—(Continued.)

NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
Robert O. Christian.....	\$825 00	\$400 00
George O. Drake.....	652 00	400 00
Michael Kilfoyle.....	250 00	150 00
Martin Gardinier.....	198 95	135 00
George O'Laughlin.....	195 00	115 00
Grace Garry.....	60 00	60 00
John Pelkie.....	487 50	350 00
E. S. Higgins' Carpet Company ..	2,100 00	2,635 32
Mary L. Fisher.....	21,000 00	4,500 00
Rollie J. Lumley.....	1,500 00	600 00
Alfred P. Tuttle.....	860 00	350 00
August Woodstrack.....	750 00	440 00
Fred Rick.....	420 00	297 00
William Butz.....	200 00	67 50
Charles Scholl.....	200 00	67 50
Jane M. Fonda.....	950 00	225 00
William Roberts.....	1,025 00	400 00
George Roberts.....	600 00	250 00
Harmon Roberts.....	330 00	150 00
Mary A. Olden and Arthur Olden.	456 00	225 00
James Brown.....	240 00	110 00
William H. Brown.....	334 00	140 00
James Barse.....	500 00	225 00
Henry S. Burdick, Joseph Hauck and Roscoe Collins.....	1,490 00	675 00
Sebeus E. Burdick.....	793 50	300 00
Henry S. Burdick and George W. Burdick.....	820 00	375 00
Eunice Bailey and Clayton House.	240 00	100 00
Stephen A. Covell, Albert L. Co- vett and Nicholas A. Herder....	705 00	300 00
Lydia Collins.....	550 00	250 00
Bridget Covell.....	619 00	250 00
Charles C. Castle.....	155 00	75 00
Mary E. Covell.....	1,203 00	500 00
Paschal H. Cleveland.....	554 00	250 00
William Conley.....	479 00	200 00
Joseph Derrick.....	515 00	200 00
Jonas W. Armstrong and Amaziah Smith.....	108 00	50 00
Alfred Ethridge and Alfred Cor- nish.....	562 00	250 00
Fred. C. Fiske.....	600 00	250 00
George Farnsworth.....	24 00	12 00
Catharine Isinger.....	538 00	250 00

## JUDGMENTS MADE BY THE COURT OF CLAIMS—(Continued).

NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
Rhoda Kietz .....	\$472 00	\$225 00
Janet Lauther, Mary B. Lauther, Nettie Lauther, John H. Lauther and Thomas W. Lauther...	576 00	250 00
Thomas M. Hyland .....	3,005 00	1,000 00
Valentine Noris .....	580 00	200 00
Christina Miller .....	675 00	250 00
Lois M. Newey .....	940 00	380 00
John P. Mattoon .....	400 00	200 00
Philander Millington .....	1,740 00	500 00
Betsey A. Patrick and Adam White,	1,610 00	700 00
Elgin A. Post and Arthur E. Post,	1,270 00	500 00
Conrad Rosenthal .....	447 00	175 00
Minerva Raut .....	60 00	30 00
Richard Spaven .....	2,697 00	1,200 00
John Seifert .....	112 00	56 00
Valentine Schneible .....	429 00	200 00
Cornelia Smith .....	1,295 00	500 00
Ruley Smith .....	884 00	380 00
Anna M. Seifert .....	176 00	83 00
William Stooks .....	610 00	280 00
Andrew Seigel .....	674 00	300 00
Jodock Schneible .....	417 50	200 00
Maryette Tuttle and Francelia Tuttle .....	460 00	200 00
Floromond B. Tuttle and Alexander Rhodes .....	2,405 00	1,100 00
Frederick Traxel .....	882 00	505 00
Salmon Tuttle and Floromond B. Tuttle .....	456 00	225 00
Willard G. Teelin .....	1,000 00	500 00
Salmon Tuttle .....	300 00	150 00
Town of Verona .....	1,000 00	400 00
George B. White .....	436 00	200 00
Simeon T. Wyman .....	126 00	63 00
Helen Yager .....	625 00	250 00
Patrick J. Tierney .....	736 00	300 00
Clinton R. Thomas, as supervisor of the town of Remsen .....	1,336 40	125 00
John S. Kert .....	3,695 90	750 00
John G. Jones et al .....	3,603 30	125 00
John J. Vaughn .....	920 00	20 00
Lydia M. Francis, as ex'trix, etc., Glenside Woolen Mills .....	5,194 20	300 00
Lakeside Paper Company .....	11,695 56	5,790 00
Lakeside Paper Company .....	8,277 50	3,178 00
Lakeside Paper Company .....	8,322 60	3,346 00
Skaneateles Paper Company .....	7,293 50	2,739 00

## JUDGMENTS MADE BY THE COURT OF CLAIMS—(Continued).

NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
Skaneateles Paper Company .....	\$7,290 60	\$2,563 00
Forest G. Weeks .....	10,971 00	3,140 00
Forest G. Weeks .....	12,396 96	3,532 00
George Mark .....	6,937 00	87 00
Simon D. Paddock .....	6,000 00	900 00
Joseph Stickley, as admr., etc. ....	10,000 00	3,000 00
Mary Flannigan, as admr., etc. ....	10,000 00	3,500 00
The Argus Company. ....	16,841 25	16,841 25
The Journal Company .....	16,341 25	16,341 25
Hartlot Paper Company .....	11,439 94	Judgment for State.
John E. Waller .....	1,853 00	Judgment for State.
James Carroll .....	243 00	Judgment for State.
John Tallmadge .....	420 00	Judgment for State.
N. Y. Central and Hudson River Railroad Company .....	93,123 73	Judgment for State.
Matthew D. Sherrill .....	224 50	\$75 00
William E. Ryan .....	224 50	75 00
Lemuel Satterlee .....	82 00	30 00
Leonard Vanderworker .....	82 00	30 00
Olive Day, as admr., etc. ....	82 00	30 00
C. A. Greene .....	350 49	350 49
Truman Coleman .....	194 00	Judgment for State.
Edward Teachout .....	349 00	\$11 00
George E. Hyde .....	840 00	696 85
John Brown .....	211 00	161 70
Alois Blum .....	200 00	Judgment for State.
James Brennan .....	637 25	Judgment for State.
David Barry .....	480 00	\$194 70
Henry Branagh, as admr., etc., of James Branagh .....	578 00	42 62
Robert Brott .....	177 00	Judgment for State.
Alonzo B. Bunce .....	177 00	Judgment for State.
Daniel Bellinger .....	125 00	\$68 75
Abner P. Bellinger .....	276 00	110 00
Henry Bishop, Jr. ....	211 00	161 70
Damon D. Bettinger .....	79 00	32 45
John Brennan .....	209 00	161 70
J. L. Cosgrove .....	113 00	23 10
James Connelly .....	270 00	Judgment for State.
Martin Clark, Jr. ....	519 00	\$93 50
Martin Clark .....	470 00	205 70
Michael H. Clifford .....	312 50	86 90
Alfred Casler .....	1,560 80	82 50
William A. Camfield .....	96 00	Judgment for State.
John G. Corrigan .....	259 00	\$161 70
William Cross .....	179 50	164 70



## JUDGMENTS MADE BY THE COURT OF CLAIMS—(Continued).

NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
Charles Corey .....	\$18 75	\$7 97
Betsey Diamond .....	582 00	Judgment for State.
Charles Decker .....	139 30	\$79 20
Albert Demont .....	218 73	241 72
Henry H. Dayharsh .....	181 00	151 80
Annie Dains .....	444 00	Judgment for State.
Frank DeLester .....	242 00	\$82 50
John Dixon .....	226 00	82 50
Patrick Daley .....	116 00	110 00
Joseph Ehegartner, Jr. ....	190 00	Judgment for State.
Nicholas Enders .....	205 00	Judgment for State.
James Eagan .....	231 50	\$27 50
William Fonda .....	200 00	Judgment for State.
William C. Frear .....	258 00	Judgment for State.
Edmund Fitzgerald .....	270 00	Judgment for State.
Martin Filbin .....	499 60	\$243 65
John A. Feeney .....	252 50	50 05
Ella Feeney .....	507 50	Judgment for State.
Margaret A. Griner .....	327 00	Judgment for State.
Charles Gue .....	74 50	\$79 20
Frank Griner .....	100 50	61 05
James Gray .....	339 00	72 60
Thomas Groton .....	889 00	Judgment for State.
John Galloway .....	257 00	\$161 70
Michael Halpin .....	156 00	44 00
Jason Hillyeas .....	91 00	50 60
E. Miller Holton .....	258 00	234 85
Jeremiah Hoban .....	357 00	Judgment for State.
Christian F. Holzman .....	164 00	Judgment for State.
Leonard Hoffman .....	478 75	\$69 30
Patrick Hennessey .....	478 75	37 40
Anson R. Hopkins .....	179 50	161 70
William Hurley .....	257 00	161 70
Myron Johnson .....	214 50	82 50
Fred M. Jennings .....	122 00	32 72
Jefferson Johnson .....	122 00	31 62
George Kent .....	76 50	69 85
Frank Kaiser .....	72 00	9 35
Samuel Keeler .....	281 00	Judgment for State.
Eugene Knapps .....	102 00	\$194 70
Henry Lamore .....	166 50	63 80
Edward Lane .....	92 00	54 17
Charles R. Loveless .....	179 50	161 70
William Logan .....	209 50	161 70
Andrew Mahl .....	29 16	Judgment for State.
James Meehan .....	29 16	Judgment for State.

JUDGMENTS MADE BY THE COURT OF CLAIMS — (*Continued*)

NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
James Mara.....	\$294 50	Judgment for State.
John Mahan.....	162 50	Judgment for State.
Electa Myers, as admrx., etc., of Joseph Kenyon.....	162 50	Judgment for State.
Julia Madden, as admrx., etc., of James Madden.....	219 00	Judgment for State.
Lawrence Madden.....	160 25	Judgment for State.
John Mosher.....	12 00	\$13 20
John Morrissey.....	347 25	Judgment for State.
Martin Maloney.....	241 72	\$241 72
John Morrin.....	241 72	241 72
George Miller.....	62 00	Judgment for State.
Samuel Male.....	163 00	\$23 10
Richard C. Murphy.....	179 00	161 70
Peter McGregor.....	111 00	13 75
John McGuinness.....	91 50	61 05
John McCormick, sr.....	189 00	134 20
Hugh McCosker.....	281 00	Judgment for State.
Margaret McKeever, as admrx., etc., of James McKeever.....	165 00	\$161 70
Ellen McMahon.....	532 50	Judgment for State.
Patrick McMahon.....	174 50	\$81 40
Ellen Norton.....	477 50	73 70
Ellen M. Nellis.....	258 00	Judgment for State.
John O'Connell.....	215 25	Judgment for State.
Patrick O'Brien.....	293 00	\$82 50
Bernard O'Reilly.....	44 50	45 65
Patrick O'Connell.....	213 00	161 70
James O'Brien.....	209 00	161 70
Charles H. Parker.....	252 46	Judgment for State.
George Prosser.....	84 00	Judgment for State.
Alfred Paddock.....	143 80	\$90 20
Thomas J. Price.....	80 00	Judgment for State.
John H. Phillips.....	306 00	Judgment for State.
John H. Phillips.....	94 50	\$35 75
Morgan D. Peck.....	299 00	17 60
William Pelton.....	264 50	34 37
Eliza J. Pelton.....	421 00	Judgment for State.
William Pelton, jr.....	220 25	Judgment for State.
Ella Pelton.....	528 50	Judgment for State.
Mary J. Robinson.....	500 80	Judgment for State.
John Reagan.....	402 00	Judgment for State.
Owen A. Russell.....	175 25	Judgment for State.
Joel Rudd.....	523 50	\$355 85
William Ruth.....	76 50	67 10
George Reilly.....	252 00	82 50

JUDGMENTS MADE BY THE COURT OF CLAIMS — (*Continued.*)

NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
George Rudd .....	\$180 00	\$82 50
Jacob Reefer .....	33 08	26 40
John Ryan .....	165 00	161 70
George F. Smith .....	207 00	Judgment for State.
William A. Sherman .....	200 00	Judgment for State.
James H. Smith .....	532 00	\$104 50
Thaduis S. Sawyer .....	82 50	79 20
William Henry Smith .....	474 00	194 70
Thomas Sweeney .....	453 00	205 70
William F. Sweet .....	92 50	82 50
Stephen Simons .....	91 00	50 60
Stephen Staring .....	217 50	51 70
William Simons .....	386 00	Judgment for State.
Mary Snyder, admrx., etc., of Paul Snyder .....	196 00	\$119 90
Wilson L. Smith .....	278 00	110 00
Walter Stein .....	298 00	110 00
Edward Sullivan .....	179 50	161 70
James Yule .....	444 00	Judgment for State.
Rudolph Yost .....	518 00	\$93 50
Mary Jane V. Chapmas, admrx., etc., of William Vosler .....	211 50	161 70
Matthew F. Woods .....	343 75	Judgment for State.
David Westfall .....	817 00	Judgment for State.
Alfred M. Williams .....	180 00	\$82 50
Henry Williams .....	483 75	67 10
Michael E. Walsh .....	345 30	Judgment for State.
James Winslow .....	157 00	\$151 80
Marcus C. Walrath .....	85 00	38 50
Margaret Wallace, admrx., etc., of Robert Wallace .....	234 00	161 70
John Byrne .....	146 50	50 00
Wesley Beeman .....	230 25	10 45
Robert P. Britt .....	245 50	61 60
Mary A. Briggs .....	356 25	Judgment for State.
Henry Crouse .....	284 50	Judgment for State.
Peter Creely .....	364 50	Judgment for State.
James Corcoran .....	94 50	\$64 35
Michael Cordon .....	204 50	51 70
Charles Carlew .....	203 00	42 35
Oscar W. Clark .....	200 00	Judgment for State.
William E. Cleary .....	125 75	\$14 85
Thomas Colgan .....	8 30	11 00
Robert Castler .....	255 20	47 08
Sally Chadwick .....	505 50	Judgment for State.
Morris Deitch .....	180 50	\$61 60

## JUDGMENTS MADE BY THE COURT OF CLAIMS — (Continued).

NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment
Michael Dempsey .....	\$134 00	Judgment for State.
Dennis Durfee .....	257 00	\$161 70
James Eckles .....	183 00	82 50
James Flaherty .....	77 50	31 07
Thomas Fisher .....	63 50	42 35
William Filkins .....	54 50	62 70
John Flynn .....	91 50	78 00
William A. Guyle .....	250 00	65 12
Charles W. Graves .....	194 50	17 60
Edward L. Graham .....	255 20	61 05
John Grady .....	92 50	85 80
William Gould, sr. ....	26 50	27 15
John F. Geuthner and George Smith	408 00	Judgment for State.
Nicholas Garlock .....	140 50	Judgment for State.
James Goodwin .....	268 50	\$32 50
Allen Hitchings .....	187 50	60 50
Michael Heiney .....	96 27	24 75
Catherine Hamilton, admr., etc., of Richard Welch .....	211 00	161 70
John Jay .....	63 50	13 20
Thomas Jordan .....	63 50	13 20
E. Ephraim Kyser .....	296 50	Judgment for State.
John Kirphuth .....	478 00	\$134 20
John Kearns .....	70 00	Judgment for State.
George P. Kaiser .....	92 00	\$67 10
George Lower .....	204 50	110 00
John Laties .....	44 50	37 40
Michael Larkin .....	172 00	Judgment for State.
Richard Mulcahy .....	204 50	\$51 70
John M. Mahany .....	79 00	59 40
Alexander McCollum .....	62 00	51 15
Edward McDonald .....	227 50	37 40
Alexander McDowell .....	270 00	Judgment for State.
Thomas McCue .....	54 00	\$35 20
James McCormick .....	86 50	79 47
William F. Olmstead .....	71 50	6 32
William Platts .....	414 50	Judgment for State.
Thomas Pinchin .....	11 25	\$12 37
Edward S. Parkhurst .....	146 00	92 95
Edward S. Parkhurst .....	147 00	85 80
Myron Starks .....	263 00	Judgment for State.
Henry Schultz .....	210 50	\$82 50
Peter Sauter .....	63 50	59 95
William Tobin .....	364 50	Judgment for State.
George Vanderhoff .....	364 50	Judgment for State.
Patrick Welsh .....	187 50	\$60 50

JUDGMENTS MADE BY THE COURT OF CLAIMS — (*Concluded.*)

NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
Maryette Westcott .....	\$112 50	Judgment for State.
Charles R. Westcott.....	87 50	\$14 85
Henry Washier .....	204 50	Judgment for State.
John Washburn.....	225 00	Judgment for State.
Eugene Walsh .....	88 50	\$64 90
Thomas Clark .....	102 10	36 57
Warren Elwell.....	235 00	Judgment for State.
Gottlieb Finck.....	139 50	\$100 65
George E. Johnson .....	214 50	76 72
Nelson F. Markell .....	177 00	139 70
John McGreevey .....	146 25	46 20
Frank Parish.....	166 50	Judgment for State.
August Scharleau.....	426 16	\$5 50
John Sharkey.....	258 54	55 00
David Wimble.....	196 50	82 50
William Henry Brigham .....	168 00	100 65
William H. Bellinger .....	224 50	23 10
Peter Vanderworken... ..	259 00	161 70
Charlotte Faery.....	52 00	Judgment for State.
William Faery.....	93 20	\$23 37
Edward Hinch.....	315 00	Judgment for State.
Martin F. Kelley.....	104 40	\$72 05
Arthur McGinnis .....	721 50	205 70
Theodore McDonald.....	409 00	Judgment for State.
Jeremiah Sullivan.....	36 00	Judgment for State.
Thomas Sullivan .....	302 00	Judgment for State.
John C. Cooligan .....	328 00	Judgment for State.
Patrick Gilson.....	72 50	\$52 25
George W. Hill .....	153 00	101 10
Andrew Lee .....	202 00	100 65
Patrick Diamond.....	582 00	37 40
Total .....	\$681,763 00	\$181,141 81

The aggregate amount of the sums demanded in the respective claims in the foregoing statement, exclusive of interest, is \$681,763.00.

The aggregate amount of the sums recovered by the respective claimants as aforesaid, is the sum of \$181,141.81.

During the year 1897, 228 claims have been filed.

Since the last report dated January 20, 1897, 407 claims have been heard and decided.

All of which is respectfully submitted.

WILBUR F. PORTER,  
GEORGE M. BEEBE,  
HUGH REILLY,

*Judges of the Court of Claims.*

Dated ALBANY, N. Y., *December 31, 1897.*

SECOND ANNUAL REPORT  
OF THE  
COURT OF CLAIMS  
OF THE  
STATE OF NEW YORK.

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TRANSMITTED TO THE LEGISLATURE JANUARY 19, 1899.

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WYNKOOP HALLENBECK CRAWFORD CO.,  
STATE PRINTERS,  
NEW YORK AND ALBANY.  
1899.

JUN 23 1916



# STATE OF NEW YORK.

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No. 30.

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## IN SENATE,

JANUARY, 19, 1899.

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### Second Annual Report of the Court of Claims.

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STATE OF NEW YORK:

COURT OF CLAIMS,

CLERK'S OFFICE, ALBANY, *January 17, 1899.*

HON. TIMOTHY L. WOODRUFF, *President of the Senate:*

DEAR SIR.—Herewith I have the honor to transmit to you, for the Legislature of the State of New York, the Second Annual Report of the Court of Claims of the State of New York, as required by law.

Very respectfully yours,

PHILIP KECK,

*Clerk Court of Claims.*



# REPORT.

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*To the Legislature of the State of New York :*

The Court of Claims is required by the provisions of Section 271, Article 1, Title 3, Chapter 3, of the Code of Civil Procedure, "at the commencement of each session of the Legislature and at such other times during the session as it may deem proper, or as the Senate or Assembly may request," to report "to the Legislature the claims upon which it has finally acted, with a statement of the judgment rendered in each case."

This Court, in accordance with the requirements of the above-mentioned statute, submits its second annual report.

The following statement contains a list of the claims that have been heard before this Court in which, since its last annual report, it has finally acted, with a statement of the judgment rendered in each case and also the amount demanded in each claim :

# Judgments Made by the Court of Claims.

Claim No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
3647	The Alma Farm Company, Limited.....	\$837 50	Judgment for State.
3489	Margaret Hennessey et al .....	75 00	\$40 00
3493	Peter J. Brummelkamp.....	1,564 19	1,564 19
3474	David Clancy et al.....	3,335 62	2,200 00
3632	John Haggerty.....	477 50	150 00
2315	Nicholas Schroeder .....	50 00	50 00
2257	Charles C. Haviland.....	55 00	55 00
3588	The rector, etc., of St. Paul's Church of Havana, N. Y.....	501 74	501 74
3637	Olive E. Harris.....	550 00	200 00
3502	The County of Tioga.....	6,100 00	4,000 00
997	Adam Jacob .....	80 00	80 00
1041	Augustus Stisser .....	350 00	Judgment for State.
1399	John F. Ryan et al .....	2,850 00	Judgment for State.
2431	Wrought Iron Bridge Company, etc .....	665 06	Judgment for State.
3464	Benjamin Krayemenger.....	5,000 00	Judgment for State.
1681	John Moore.....	15,000 00	Judgment for State.
3442	Anthony Salladin, Jr.....	87 29	\$25 00
985	Wilbur W. Fish .....	200 00	Judgment for State.
2159	Henry Carhart .....	394 00	\$152 00
3097	Seymour Holbrook et al.....	882 50	325 00
3642	Eva Olena, by guardian, etc.....	5,000 00	200 00
3712	Fletcher F. Williams.....	1,500 00	350 00
3620	Charles N. Hoffman.....	1,133 04	1,133 04
1820	Hoyt H. Freeman.....	6,452 32	138 00

		576 00	Judgment for State.	47 00
2161	Phenora A. Ryder.....			
2072	Frederick Zorn.....	1,000 00		
1695	Henry T. King et al.....			
1696	Henry T. King and another, } consolidated .			
1698	Henry T. King et al.....	1,425 00	\$225 00	
2068	Jefferson Cypher.....			
2946	George Keith.....	350 00	100 00	
2947	Lewis Keith.....	530 00	125 00	
3420	Alexander W. Abbott.....	1,732 00	375 00	
3591	James A. Clements.....	850 00	75 00	
3592	Mary E. Abrams.....	800 00	120 00	
3309	Jefferson Cypher.....	973 50	120 00	
2069	Eugene Long.....	250 00	75 00	
2070	George N. Monroe, as executor.....	775 00	75 00	
2233	Harriet Lower and another as administrators.....	300 00	175 00	
3132	John Hess.....	500 00	175 00	
3133	Michael Heid.....	400 00	100 00	
3134	Edward Lynch.....	1,500 00	750 00	
3135	Henry Schlosser.....	1,000 00	475 00	
3136	Eva L. Woerner.....	700 00	450 00	
3137	William Doyle.....	850 00	450 00	
3138	John Mickler.....	500 00	150 00	
3207	James B. Burlew.....	525 00	150 00	
3262	J. Fleming Baker.....	850 00	175 00	
3263	John McGeugh.....	700 00	225 00	
3286	Amos Jackson.....	150 00	60 00	
3316	Adison Kindall.....	140 00	75 00	
3503	Bridget Nolan.....	200 00	110 00	
3434	Ezra Bond.....	500 00	175 00	
3717	Clara E. Hamilton.....	600 00	100 00	
2939	John C. McIntyre and another.....	10,000 00	500 00	
		183 60	110 00	

# JUDGMENTS MADE BY THE COURT OF CLAIMS—(Continued).

Claim No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
3353	John C. McIntyre and another.....	\$345 00	\$57 00
3340	James W. Barnett.....	504 00	75 00
3341	John W. Barnett.....	720 00	150 00
3342	Rufus G. Barnard and another.....	300 00	105 00
3343	Martin J. Butler et al.....	860 00	135 00
3344	Thomas A. Cavenor.....	200 00	65 00
3345	Gerry E. Fowler.....	75 00	30 00
3346	Betsey Kelsey.....	1,040 00	60 00
3347	Alonzo Lankton.....	352 00	75 00
3348	Enoch C. Nicholson.....	1,596 00	60 00
3349	Myron S. Pickard.....	300 00	113 00
3350	William Skutt.....	75 00	30 00
3351	Sarah E. Wright.....	300 00	75 00
3352	William Van Kirk and another.....	600 00	Judgment for State.
2604	John H. McCue and another, as administrators, etc.....	1,000 00	Judgment for State.
3324	Baltz Burst.....	300 00	\$75 00
3255	Emily Hubbard.....	533 00	200 00
3128	Daniel Satterlee and another.....	275 00	150 00
2924	James Harter.....	161 00	145 00
3449	Andrew J. Covell.....	200 00	75 00
3140	Ada B. Dana.....	300 00	100 00
3168	George Suiter.....	1,765 00	150 00
2183	Mark Schepp.....	106 00	100 00
2163	Sarah J. Van Schaick.....		
3321	Sarah J. Van Schaick } consolidated	2,708 00	360 00

2164	David S. Williams and another .....	342 52	140 00
3354	Mary Plank .....	1,295 00	400 00
2506	Frederick H. Ebeling, as executor } consolidated	1,224 00	525 00
3318	Frederick H. Ebeling, as executor }		
3173	Alfred Kimball .....	770 00	200 00
3139	Albert Critenden .....	725 00	300 00
3319	Matilda Huntley .....	830 00	275 00
3118	Parnelia Dawson et al. ....	950 00	440 00
3120	Abraham Shoemaker .....	850 00	275 00
3127	Eliza J. Worden .....	400 00	50 00
3119	Herbert Lade .....	800 00	100 00
3126	Joseph Halfer .....	400 00	120 00
3121	Ephraim E. Woodward .....	1,000 00	150 00
3327	Henry Carhart .....	416 00	152 00
3320	Martha A. Stearns } consolidated		
2162	Martha A. Stearns }	240 00	75 00
3355	Charles Taskey .....	1,600 00	50 00
2182	Eliza Jane Pelton } consolidated	1,296 00	100 00
3361	Eliza Jane Pelton }		
2095	Thomas H. Cary as administrator .....	1,217 30	265 00
2096	Daniel Sherman .....	1,091 25	371 00
2097	Eugene Smith .....	1,122 80	424 00
3602	Lucy Tracy Smelzer .....	1,200 00	350 00
3605	Patrick Nugent .....	138 60	40 00
3479	Bridget Hogan .....	200 00	80 00
3480	Antoinette Linondoll .....	500 00	100 00
3481	John Riley .....	388 75	120 00
3731	Emily A. Fuller .....	200 00	75 00
3782	Peter E. Dempsey .....	200 00	60 00
3517	Nancy A. Jameson .....	250 00	250 00
3444	Henry A. Selbrecht and another .....	17,047 47	5,500 00

## JUDGMENTS MADE BY THE COURT OF CLAIMS—(Continued.)

Claim No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
3600	William H. Weller.....	\$147 50	Judgment for State.
1826	Russell Barnes and Andrew J. Phelps.....	3,420 00	\$750 00
1825	Russell Barnes .....	3,000 00	Judgment for State.
2057	Mary M. Barnes as administratrix .....	6,300 00	Judgment for State.
3177	Mary M. Barnes as administratrix .....	10,500 00	Judgment for State.
2058	Russell M. Barnes and Andrew J. Phelps.....	810 00	\$750 00
3711	M. Antoinette Huriburt .....	1,000 00	500 00
3721	Thompson S. Rogers.....	282 25	250 00
3722	Charles Thayer.....	1,000 00	500 00
3798	Elia Pellettieri .....	150 00	50 00
3861	Mary Lucas.....	100 00	25 00
3752	George F. Gallagher .....	790 00	700 00
3753	William Foster Kelly.....	750 00	750 00
3751	Griffith Humphrey.....	270 00	210 00
3640	The County of Cortland .....	9,058 70	4,750 00
3511	The County of Madison .....	10,000 00	6,000 00
3459	John Mack, Jr., by guardian, etc.....	6,000 00	Judgment for State.
3147	James Maloney.....	253 00	Judgment for State.
3260	Polly Castleman.....	500 00	\$100 60
2275	Philo W. Casler .....	1,000 00	4,500 00
3603	The County of Lewis.....	10,000 00	2,000 00
3505	William Watson.....	10,000 00	5,000 00
3622	Augusta Ziemann and another as administrators .....	15,000 00	



899	Sarah F. Coyne				
1858	Sarah F. Coyne } consolidated.	7,500 00	1,400 00		
2691	Sarah F. Coyne				
3780	Thomas S. Williams	- 934 90	650 00		
3513	Dwight C. Pitcher	1,370 80	Judgment for State.		
1501	Charles A. Van Valkenburg	250 00	Judgment for State.		
1716	Charlet A. Van Valkenburg	1,200 00	Judgment for State.		
2312	Charles A. Van Valkenburg	361 50	Judgment for State.		
2313	Charles A. Van Valkenburg	361 50	Judgment for State.		
3423	Charles A. Van Valkenburg	7,773 00	Judgment for State.		
3086	John Roberts, final judgment upon remittitur of the Appellate Division of the Supreme Court, Third Department, reversing former judgment, and for costs in favor of the State against the claimant.	138,976 54	Judgment for State.		
2416	Elias Snyder, final judgment upon remittitur of the Court of Appeals affirming award of Board of Claims of nothing and for \$100 costs in favor of State and against the claimant.				
3817	Charles Kellogg	586 80	Judgment for State.		
3633	The Trio Company	284 93	\$284 93		
3943	The E. G. Bernard Company	751 70	235 00		
3856	The County of Columbia	438 00	Judgment for State.		
3864	The County of Livingston	6,125 74	\$2,000 00		
2341	James Ash	12,881 00	7,500 00		
2346	Mary A. Parker	1,020 00	340 00		
2347	Charles E. Minton	1,000 00	333 00		
2694	James C. Daly	455 00	152 00		
2695	Daniel Guerin	570 00	190 00		
2697	Hugh Story	670 00	223 00		
2944	Daniel Guerin, Jr	385 00	128 00		
3143	John Daly et al. as administrators	802 50	267 00		
3178	James Guerin	1,045 00	348 50		
3181	Joseph Stewart	345 00	115 00		
		600 00	200 00		

## JUDGMENTS MADE BY THE COURT OF CLAIMS — (Continued.)

Claim No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
3245	Thomas Meneeley .....	\$700 00	\$233 00
3249	James A. Kincaid .....	1,640 00	350 00
3313	Mary E. Van Wie .....	1,100 00	375 00
3395	William P. Curtis .....	668 50	242 00
3496	Henry Heiden .....	300 00	60 00
3497	Samuel Overocker, as administrator .....	1,225 00	485 00
3596	Edward La Pan .....	300 00	150 00
3723	Sophia Long .....	170 00	100 00
3730	Matilda Andrews .....	300 00	150 00
3851	Peter Hoff .....	100 00	75 00
3852	John Hempstead .....	110 00	110 00
2947	James C. Rogers .....	960 00	500 00
3950	Onondaga Pottery Company .....	106 64	81 75
2216	Joseph Podvin .....	1,310 00	437 00
2959	Henry I. Winne } consolidated .....	2,325 00	400 00
3635	Henry I. Winne }		Judgment for State.
3450	Margaret Cawley .....	300 00	Judgment for State.
3491	Edward Lynch .....	200 00	Judgment for State.
3630	Charles A. Little .....	8,022 94	
3454	Ann Dowd } consolidated .....	2,000 00	\$200 00
3706	Ann Dowd }		
3117	Jane Payne .....	3,500 00	2,500 00
891	Chauncey Griswold .....	1,141 25	Judgment for State.
2066	Alanson Derby .....	430 85	\$375 00

3298	Margaret A. Moran	487	06	160	00	
3299	Michael C. Conlin, as executor, etc.	430	60	125	00	
3292	Devillo W. Harrington	929	70	600	00	
3279	Oliver S. Laycock, as survivor, etc.	1,038	00	1,038	00	
3871	William A. Bowen, as administrator	15,000	00	3,000	00	
1674	Timothy Mahoney	183	00	183	00	
3306	John Argus	227	62	227	62	
3307	Richard Humphrey	262	24	262	24	
3799	Michael Nellany	5,744	50	4,000	00	
3800	Frank A. Rathbun et al.	3,171	50	2,000	00	
3883	Henry D. Kirkover	3,555	00	4,000	00	
3814	The County of Cattaraugus	17,000	00	5,675	00	
3725	Cyrus H. Polley	3,059	07	1,905	98	Judgment for State.
2864	John Biracre	116	55			Judgment for State.
2865	Bernard L. Beal	149	85			Judgment for State.
2866	John Cullin	133	20			Judgment for State.
2867	Patrick Crough	58	27			Judgment for State.
2870	Andrew Earle	116	50			Judgment for State.
2873	Edward S. Hutchinson	166	50			Judgment for State.
2874	John Hahn	122	50			Judgment for State.
2876	Lisle J. Harrison	149	85			Judgment for State.
2878	James Kirby	149	85			Judgment for State.
2879	Patrick Kane	116	55			Judgment for State.
2881	Thomas Lane	149	85			Judgment for State.
2882	David Lake	149	85			Judgment for State.
2884	Edward Mulcahy	133	20			Judgment for State.
2885	Edward McDowell	150	00			Judgment for State.
2889	Owen O'Neil	50	00			Judgment for State.
2890	Thomas Plant	149	85			Judgment for State.
2891	William J. Roachville	133	20			Judgment for State.
2893	Edward Ross	149	84			Judgment for State.

## JUDGMENTS MADE BY THE COURT OF CLAIMS—(Concluded).

Claim No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
2895	Henry H. Reed .....	\$133 20	Judgment for State.
2896	John Reddy .....	151 87	Judgment for State.
2897	George Ross .....	149 85	Judgment for State.
2901	Wallace H. Turner .....	149 85	Judgment for State.
2902	James Van Kuren .....	131 62	Judgment for State.
2903	John H. Walsh .....	133 20	Judgment for State.
	Totals .....	\$491,533 29	\$101,469 99

The aggregate amount of the sums claimed in the respective claims heretofore stated, exclusive of interest, upon which the Court has finally acted during the year 1898 is the sum of Four hundred ninety-one thousand five hundred thirty-three dollars and twenty-nine cents (\$191,533.29).

The aggregate amount of the sums awarded in said respective claims is the sum of One hundred one thousand four hundred sixty-nine dollars and ninety-nine cents (\$101,469.99).

The number of claims filed during the year is 406 and the aggregate of the amounts claimed, exclusive of interest, is \$1,394,126.72.

All of which is respectfully submitted.

CHARLES T. SAXTON,  
GEORGE M. BEEBE,  
JOHN F. PARKHURST,  
*Judges of the Court of Claims.*

Dated ALBANY, N. Y. *December 31, 1898.*



**THIRD ANNUAL REPORT**

**OF THE**

**COURT OF CLAIMS**

**OF THE**

**STATE OF NEW YORK.**

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**TRANSMITTED TO THE LEGISLATURE FEBRUARY 19, 1900.**

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**ALBANY:**  
**JAMES B. LYON, STATE PRINTER.**  
**1900,**

JUN 23 1916



# STATE OF NEW YORK.

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No. 27.

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## IN SENATE,

\_\_\_\_\_ FEBRUARY 19, 1900.

### Third Annual Report of the Court of Claims.

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STATE OF NEW YORK:

COURT OF CLAIMS,

CLERK'S OFFICE, ALBANY, *February 19, 1900.*

HON. TIMOTHY L. WOODRUFF, *President of the Senate:*

Dear Sir.—Herewith I have the honor to transmit to you, for the Legislature of the State of New York, the Third Annual Report of the Court of Claims of the State of New York, as required by law.

Very respectfully yours,

PHILIP KECK,

*Clerk.*



# REPORT.

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*To the Legislature of the State of New York:*

The statute requires that the Court of Claims "at the commencement of each session of the Legislature and at such other times during the session as it may deem proper, or as the Senate or Assembly may request" to report "to the Legislature the claims upon which it has finally acted, with a statement of the judgment in each case."

The Court, in accordance with the requirements of the statute, submits its third annual report.

For the purposes of this report we have divided the claims heard and decided during the year 1899 into four classes, as follows:

First. General canal claims.

This class embraces all claims under section 37, chapter 338, of the Laws of 1894, known as the General Canal Law, excepting the so-called canal improvement claims in the list following.

Second. Claims filed on account of the \$9,000,000 canal improvement.

The liability of the State in these claims is fixed by the General Canal Law, but the claims arose during the progress of the canal improvement work.

Third. Claims filed under special acts of the Legislature.

This class embraces all claims sent to this court by special acts.

Fourth. Claims, other than canal claims, and not under special acts.

# Canal Claims Filed under the General Act.

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
3638	Ann Keenan .....	\$3,600 00	\$816 00
2319	Randolph Rogers .....	831 00	250 00
1169	John Brown and another .....	7,737 00	Judgment for State.
1863	Simon D. Paddack. Appealed to Appellate Division, Supreme Court.	1,500 00	\$821 80
1885	Hartlot Paper Company .....	4,299 41	2,262 80
1870	Lakeside Paper Company. Appealed to Appellate Division, Supreme Court.	4,826 00	2,062 16
1871	Forest G. Weeks. Appealed to Appellate Division, Supreme Court.	8,550 75	3,535 90
3859	Elisha S. Elms. ....	200 00	150 00
3184	Jerry Crowley .....	554 40	250 00
3583	The Reliance Marine Insurance Company .....	4,823 30	4,823 30
3584	The Western Assurance Company of Toronto .....	775 85	718 20
3887	Union Marine Insurance Company, Limited .....	176 37	125 00
3901	Western Assurance Company of Toronto .....	231 55	200 00
3913	St. Paul Fire and Marine Insurance Company and another .....	441 53	400 00
3972	Western Assurance Company of Toronto .....	308 20	250 00
4031	James McDonough .....	10,225 00.	1,500 00
4024	James F. Yanger .....	50 00	35 00
3337	Oscar Wegner .....	815 15	Judgment for State.
3518	Karl Borowski .....	199 00	Judgment for State.

SENATE

3460	Charles O. Scott.....	2,703 26	Judgment for State.
3870	Estella Baskin .....	1,500 00	\$575 23
3618	William H. Clark.....	7,668 70	1,500 00
3617	Lulue A. Bleecker.....	7,000 00	2,500 00
3447	Robert Wiggins, Jr.....	200 00	150 00
3614	Maggie Mabee .....	912 00	625 00
3653	Sarah J. Rogers.....	250 00	100 00
4079	John E. Quackenbush.....	75 00	50 00
1815	Lyman E. Montgomery.....	400 00	400 00
3639	Lyman E. Montgomery.....	500 00	
3651	John Foran .....	375 00	200 00
4224	John Foran .....	58 50	
3652	Pierce McCarthy .....	340 00	225 00
4078	Pierce McCarthy .....	175 00	
1123	Elizabeth F. Overacre.....	500 00	Judgment for State.
1709	John Auringer .....	2,000 00	Judgment for State.
1710	John Auringer, Jr.....	2,000 00	Judgment for State.
1711	Jane Auringer .....	2,000 00	Judgment for State.
1712	Wayne Huntley .....	1,000 00	Judgment for State.
2234	Isabell S. Bamber.....	396 00	Judgment for State.
2235	Theodore Campbell .....	465 00	Judgment for State.
2236	Francis W. Doolittle.....	1,950 00	Judgment for State.
2240	John G. Smith.....	1,872 00	Judgment for State.
2241	George N. Tackabury.....	1,175 00	Judgment for State.
2242	Nathaniel J. Tackabury.....	1,869 00	Judgment for State.
2244	Elizabeth A. Young.....	642 00	Judgment for State.
2252	Allen Dietz .....	580 00	Judgment for State.

CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Continued).

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[SENATE

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
2253	Minnie Hitchcock and another.....	\$560 00	Judgment for State.
2254	Minnie Hitchcock and another.....	740 00	Judgment for State.
2256	Minnie Hitchcock and another.....	200 00	Judgment for State.
2259	Harrison M. Taber.....	768 00	Judgment for State.
2290	William R. Groat.....	505 00	Judgment for State.
2301	Minnie Hitchcock.....	425 00	Judgment for State.
2302	Fred W. Twogood.....	2,562 42	Judgment for State.
2303	De Forest Near.....	225 00	Judgment for State.
2304	Fred W. Twogood.....	450 00	Judgment for State.
2354	Ira Phillips and another.....	490 50	Judgment for State.
2355	William Henry Walker.....	893 00	Judgment for State.
2363	John F. Hartson.....	218 75	Judgment for State.
2364	Thomas O'Brien.....	300 00	Judgment for State.
3623	John O. French.....	250 00	Judgment for State.
2372	Philip Greenwald.....	2,000 00	Judgment for State.
2373	Eugene J. Mack.....	2,000 00	Judgment for State.
3589	William H. Baker.....	72 00	Judgment for State.
3185	John M. Sommers.....	5,000 00	Judgment for State.
3425	Sanford Erkenbeck.....	300 00	\$110 00
3278	Robert B. Featherly.....	185 00	Judgment for State.
3690	Elizabeth F. Overacre.....	1,700 00	\$600 00
2237	Minnie Hitchcock.....	365 00	Judgment for State.

2238	Milton B. Jarvis.....	'475 00	Judgment for State.
2239	Robert Kirkland .....	194 00	Judgment for State.
2243	Perry Willard .....	832 00	Judgment for State.
2305	Charles F. Pennock and another.....	400 00	Judgment for State.
2306	Fritz C. Block and another.....	678 00	Judgment for State.
2291	John W. Sowter, as administrator, etc.....	1,900 00	\$150 00
2366	James L. Gardner.....	958 00	100 00
3508	Sylvester Burchard .....	200 00	125 00
3509	Jerry Weeden .....	135 00	75 00
3616	Richard Demont .....	130 00	80 00
3607	Lucretia E. Tackabury, as administratrix.....	750 00	200 00
3608	Lucretia E. Tackabury.....	1,205 50	300 00
3654	Addison Bushnell.....	709 50	300 00
3694	Town of Sullivan.....	700 00	600 00
3866	Catherine O'Brien .....	900 00	250 00
3273	Robert Nix .....	10,000 00	500 00
3109	Glenside Woolen Mills. Appealed to Appellate Division, Supreme Court.	67,000 49	23,932 87
3507	John Byrn .....	5,055 00	2,000 00
3604	Ira Durkee .....	5,000 00	1,500 00
1935	John F. Hetzler.....	600 00	Judgment for State.
2439	John H. Sharpe.....	132 16	Judgment for State.
2863	Charles Bastian .....	133 20	Judgment for State.
2868	William Carroll .....	57 27	Judgment for State.
2869	Lewis Cook .....	149 85	Judgment for State.
2871	James Flanagan .....	58 27	Judgment for State.
2872	Benjamin Howard .....	149 85	Judgment for State.

CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Continued).

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
2875	E. Miller Holton.....	\$18 00	Judgment for State.
2877	James Hall .....	149 85	Judgment for State.
2883	Matthew J. McDonald.....	124 86	Judgment for State.
2886	William McAnaney .....	58 27	Judgment for State.
2888	Maurice O'Brien .....	133 20	Judgment for State.
2892	August Ruthenburg .....	120 00	Judgment for State.
2894	William Roberts .....	58 27	Judgment for State.
2898	John H. Sharpe.....	199 80	Judgment for State.
2899	John Scott .....	166 50	Judgment for State.
2900	Lyman J. Salman.....	147 50	Judgment for State.
3718	Edwin Hurlburt .....	161 25	Judgment for State.
3719	Edwin Hurlburt .....	187 50	Judgment for State.
3484	Charles Horst .....	160 00	Judgment for State.
3248	Rachel A. Rounds.....	383 00	Judgment for State.
3485	John A. Adamson and another.....	3,120 00	\$200 00
3486	William Albrecht .....	7,293 95	128 00
3487	Frances C. Schummers.....	8,446 00	146 80
3488	John S. Gunsaul and another.....	9,305 00	167 12
3504	Mathias Kondolf .....	2,500 00	102 00
3593	Ludwig Guck .....	276 00	825 00
3146	DeWitt E. Burnett.....	1,500 00	100 00
3629	James Cameron .....	4,410 00	200 00
			1,000 00



3734	George Hanf and another.....	375 00	200 00
3808	The Town of Alabama.....	4,950 00	1,500 00
3812	Rollie J. Lumley.....	300 00	120 00
3819	Julius Bartz .....	700 00	250 00
3820	Fred Fink .....	1,000 00	300 00
3821	Charles W. Grey.....	390 00	175 00
3822	Harrison D. Gilbert.....	370 00	150 00
3823	William Luckman .....	870 00	300 00
3824	Ara R. Newton.....	800 00	300 00
3825	William Smith .....	430 00	150 00
3826	Augustus Scharleau .....	285 00	175 00
3827	Albert P. Tuttle.....	500 00	150 00
3904	Albert G. Callister.....	230 00	80 00
3947	Ellen Murphy .....	114 00	90 00
3982	Mary Seeger .....	3,050 00	800 00
3985	Patrick J. Rigney .....	192 75	140 00
4182	Chauncey Chattin .....	32 40	25 00
4183	Charles Curtis and another.....	79 00	60 00
4184	Franklin E. Smith.....	53 20	45 00
4364	St. Paul Fire and Marine Insurance Company.....	125 57	125 00
4369	St. Paul Fire and Marine Insurance Company.....	142 98	125 00
4384	St. Paul Fire and Marine Insurance Company.....	337 48	300 00
4385	St. Paul Fire and Marine Insurance Company.....	402 67	360 00
4395	Union Marine Insurance Company.....	222 80	175 00
4457	William Barnden .....	48 00	35 00
4458	Harriet Henry .....	200 00	140 00
4460	James East .....	50 00	30 00

# CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Continued).

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
3830	David H. Evans.....	\$200 00	\$200 00
3818	Charles Bartz .....	395 00	140 00
3356	George F. Parker.....	400 00	Judgment for State.
3357	George F. Parker.....	622 75	Judgment for State.
1809	Thomas J. Sweeney. Award made by Board of Claims in favor of claimant for \$75.00. Appealed by claimant. Court of Appeals affirmed award with costs against claimant. Final judgment by this court for \$75.00 in favor of claimant and for \$99.00 costs in favor of the State.....		
1986	Edward J. Buckley.....	425 00	\$75 00
2933	William Curran .....	1,221 00	Judgment for State.
4218	Daniel O'Byrne .....	177 00	\$177 00
3363	Ella Fisher .....	170 00	75 00
3364	John Fisher .....	10,000 00	Judgment for State.
3129	Adelbert Green .....	5,000 00	Judgment for State.
3180	Thomas Wilson .....	1,600 00	\$750 00
3252	Terrence Ford and another.....	825 00	300 00
3253	George Skiff and another.....	4,415 00	1,250 00
3259	Edward Arnits .....	7,650 00	1,675 00
3130	Joseph P. Kennedy.....	1,375 00	650 00
3141	Alice B. McCarthy.....	3,275 00	650 00
		425 00	115 00

3075	Charles M. Crouse and another.....	745 00	410 00
3179	Jacob Crouse .....	5,416 01	1,762 00
3696	Richard Barry .....	5,000 00	1,000 00
3649	John Barry .....	889 50	250 00
4687	Eugene Dandenault .....	5,000 00	225 00
3732	Frances A. Brown.....	200 00	75 00
3828	Joseph P. Kinner.....	700 00	Judgment for State.
3268	St. Paul Fire and Marine Insurance Company.....	350 85	\$300 00
4370	St. Paul Fire and Marine Insurance Company.....	395 73	250 00
3275	St. Paul Fire and Marine Insurance Company and another	396 19	300 00
4386	St. Paul Fire and Marine Insurance Company.....	196 03	125 00
4389	Western Assurance Company of Toronto.....	154 11	125 00
4390	Western Assurance Company of Toronto.....	363 16	300 00
4392	Western Assurance Company of Toronto.....	326 79	275 00
4396	Union Marine Insurance Company, Limited.....	737 53	650 00
4397	Union Marine Insurance Company, Limited.....	996 80	750 00
4424	St. Paul Fire and Marine Insurance Company.....	190 09	150 00
4425	Western Assurance Company of Toronto.....	179 61	150 00
3849	Judd Winne .....	150 00	Judgment for State.
3714	George Linter .....	245 00	\$125 00
3829	Madison W. Hart.....	5,000 00	75 00
4307	Monroe Button .....	180 00	75 00
4824	John E. Carl.....	145 00	50 00
1647	James Keegan .....	355 00	Judgment for State.
1650	Elizabeth Finck .....	282 00	Judgment for State.
1817	Hannah Burns and another.....	220 39	\$150 00
3515	Lester Green .....	270 00	125 00

# CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Continued).

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
3516	Marvin A. Jones, as administrator, etc.....	\$400 00	\$175 00
3845	Edward C. Evans and another, as administrators, etc.....	775 00	350 00
3846	Locsa S. Stanburgh.....	215 00	175 00
3847	George Taylor .....	330 00	200 00
3975	Philip J. Baker and another.....	500 00	200 00
4321	Dennis D. McKoon and another.....	1,000 00	575 00
4836	Henry Bradt .....	470 00	250 00
3610	Charlotte S. Wager and another, individually and as ex- ecutors, etc. ....	1,051 50	325 80
3611	John W. Harris.....	809 62	196 55
3853	Jacob Dieffenbacher .....	462 00	293 00
3634	Charles B. Gibson.....	4,127 00	Judgment for State.
4251	John Tyrrell .....	5,020 00	Judgment for State.
2103	James Shannon .....	200 00	\$110 00
3585	James A. Ranney and another.....	5,000 00	50 00
4004	Jacob H. Enders.....	350 00	150 00
4522	National Salt Company.....	958 26	750 00
4363	St. Paul Fire and Marine Insurance Company.....	763 96	500 00
3619	Globe Fire Insurance Company.....	409 15	Judgment for State.
3644	Thomas Ryan .....	8,000 00	Judgment for State.
3424	Veronika Joeschke .....	1,000 00	Judgment for State.

3443	Albert M. Kalbfleisch and another.....	152,000 00	Judgment for State.
3833	John Finouer, Sr. ....	\$195 00	\$36 00
3834	John Finouer, Jr. ....	115 00	35 00
3835	Stephen Simmons .....	197 50	29 00
3836	John L. Smith.....	195 00	43 00
3837	Rufus Smith .....	196 00	48 00
3857	James Green .....	1,032 23	752 23
3691	Lena Cole .....	420 00	140 00
3692	Philomena Hinkle .....	485 00	50 00
3693	James Lacy .....	500 00	35 00
3841	Lavinia J. Buisson.....	2,000 00	Judgment for State.
3842	Elizabeth S. Clute.....	2,200 00	\$96 00
3905	Morris Shanahan .....	350 00	Judgment for State.
3909	James C. Rogers.....	1,200 00	Judgment for State.
4246	Jerry Crowley .....	600 00	Judgment for State.
4528	Cornelius Burns .....	392 00	Judgment for State.
4529	Horace H. Dibble.....	4,791 00	Judgment for State.
4530	James McKee .....	3,268 00	Judgment for State.
4694	Eliza Gay .....	1,830 00	Judgment for State.
4703	Thomas E. Flanagan.....	1,419 00	Judgment for State.
4823	Henry I. Winne.....	950 00	\$237 32
3838	Milford Van Slyke.....	175 00	57 00
3655	Michael J. Lawless and another } consolidated.....	1,212 25	995 00
4743	Michael J. Lawless and another }		
3656	Crown Mills } consolidated.....	9,164 15	3,780 00
3742	Crown Mills }		

# CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Concluded).

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
3657	Susan E. Rathbun.....	\$2,086 26	\$880 00
3658	Isaac N. Sherman.....	1,068 00	995 50
3716	Allen V. Smith.....	3,205 05	2,000 00
	Total .....	\$552,513 00	\$92,493 08

## Claims Filed on Account of the Nine Millions Canal Improvement.

No.	NAME OF CLAIMANT.	Amount claim d.	Judgment.
4111	Robert F. Schelling.....	\$5,155 00	\$3,000 00
4067	Amelia L. Stevenson and another, as survivors, etc.....	2,719 00	1,500 00
4069	James M. Smith and another, as surviving executors.....	3,162 00	1,500 00
3727	Isaac J. Evans and another. Appealed to Appellate Division, Supreme Court.	7,500 00	1,000 00
3208	William S. Wood.....	2,572 70	600 00
3783	Josephine Leslie .....	27,500 00	6,000 00
3801	George H. Bussey, as executor.....	520 00	370 00
3805	William A. Sutherland and another.....	12,500 00	4,500 00
3951	Dora Berson .....	260 00	107 50
3952	Thomas P. Burnett and another.....	200 00	40 00
3953	Egbert R. Campbell.....	203 75	140 00
3954	Susan A. Campbell.....	1,020 00	557 00
3955	Patrick Conley, Jr.....	1,748 00	1,000 00
3956	Henry J. Cotter.....	490 00	240 00
3957	James Cotter .....	120 00	120 00
3958	James Curtis .....	24 00	20 00
3959	William Diederich .....	42 00	36 00
3960	Charles T. Germain.....	325 00	180 00
3961	Jacob Hendershot .....	135 00	80 00
3962	John Holland .....	91 25	75 00
3963	Cassius M. Hovey.....	1,689 00	600 00
3964	Emily Knowlton .....	25 00	20 00

CLAIMS FILED ON ACCOUNT OF THE NINE MILLIONS CANAL IMPROVEMENT—(Continued).

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
3965	Charles Maw .....	\$60 00	\$50 00
3966	Charles Maw .....	423 50	250 00
3967	James Mott .....	40 00	30 00
3968	Minerva V. Reynolds and another.....	705 00	260 00
3969	Frederick Schwartz and another.....	113 00	75 00
3970	Charles S. Williams.....	511 00	200 00
3988	Franklin Cotter .....	150 00	100 00
3989	Ida M. Gordon.....	33 50	30 00
3990	Ida M. Gordon.....	240 92	200 00
3991	Ida M. Gordon.....	186 50	140 00
3992	James Hayes and another.....	387 00	240 00
3993	Fred Klefeh .....	137 50	12 50
3994	William McBain .....	97 00	75 00
3995	Charles Ohlbeck .....	134 50	100 00
3998	Timothy Madigan .....	150 00	425 00
3999	Timothy Madigan .....	150 00	
3733	Timothy Madigan .....	200 00	
4005	Minnie A. Burley.....	450 00	210 00
4006	Frank Duffy .....	390 00	200 00
4007	Daniel J. Hurley.....	500 00	350 00
4011	Dimie Bates .....	200 00	120 00
4012	Luther Collamer .....	50 00	40 00



4013	Charles Kruger .....	82 00	70 00
4014	Jane Sherwood .....	100 00	40 00
4058	The Town of Clarkson .....	1,190 16	900 00
4074	The Town of Sweden .....	288 25	270 00
4090	DeWitt C. Burnett .....	604 25	375 00
4176	John Irving .....	165 50	140 00
4329	Alexander Grieve .....	1,644 50	500 00
4000	Timothy Madigan .....	150 00	Judgment for State.
4570	Christian Hoff .....	2,525 00	Judgment for State.
4571	Valerie Hoyt .....	450 00	Judgment for State.
4578	E. Post .....	2,100 00	Judgment for State.
4583	Ira D. Watson .....	1,000 00	Judgment for State.
3889	Eugene D. Colie .....	2,025 00	Judgment for State.
4799	Adrian Fellows and another .....	475 00	Judgment for State.
4468	Charles Atkinson .....	1,500 00	Judgment for State.
4470	Moses Burst .....	3,025 00	Judgment for State.
4471	Homer W. Calder .....	2,500 00	Judgment for State.
4475	Stephen M. Davin .....	3,050 00	Judgment for State.
4476	Jacob Deyle .....	3,000 00	Judgment for State.
4478	Seymour Getman .....	1,675 00	Judgment for State.
4479	James G. Goodier .....	1,500 00	Judgment for State.
4480	Andrew J. Grants .....	2,500 00	Judgment for State.
4482	Thomas J. Lofrus, individually and as executor .....	4,438 00	Judgment for State.
4520	Charles Aland .....	2,500 00	Judgment for State.
4523	Charles S. Getman .....	2,400 00	Judgment for State.
4524	Irving E. Richardson .....	1,550 00	Judgment for State.
3865	August Eckardt .....	200 00	Judgment for State.
4646	Amanda Dyke .....	1,000 00	Judgment for State.

CLAIMS FILED ON ACCOUNT OF THE NINE MILLIONS CANAL IMPROVEMENT—(Continued).

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
4648	Catherine Karkaline .....	\$350 00	Judgment for State.
4651	Stanton Owens .....	1,000 00	Judgment for State.
4655	Jacob S. Smith .....	1,000 00	Judgment for State.
4579	William Saxby .....	300 00	Judgment for State.
4123	Jefferson D. Manville .....	592 00	Judgment for State.
4615	Morgan Hammond .....	4,165 00	Judgment for State.
4212	Michael Travis .....	2,500 00	\$15 00
4025	William Lambert and another .....	350 00	350 00
4026	William Ringrose .....	800 00	275 00
4023	John H. Smith .....	467 30	120 00
4187	Lillie J. Butler .....	1,000 00	Judgment for State.
3980	William W. Budlong .....	650 00	\$300 00
4838	John R. Edwards, as administrator, etc. ....	1,000 00	125 00
4864	William A. Everts .....	106 85	106 85
3894	Utica Land Company .....	10,000 00	1,000 00
4848	Caroline M. Lipe .....	175 00	75 00
4191	James Dempsey .....	9,500 00	262 00
4467	Emer Allen and another .....	5,500 00	100 00
4469	William Bennett .....	1,800 00	70 00
4472	Caroline A. Carney .....	10,500 00	120 00
4473	Samuel Clayton .....	4,762 00	50 00
4474	Maria T. Dady .....	4,700 00	100 00

4477	Catherine Finnerty .....	8,498 00	210 00
4481	William Kunshafsky .....	1,875 00	70 00
4483	Bridget Meehan .....	1,510 00	55 00
4484	Betsey Murtaugh .....	4,500 00	60 00
4485	Mary Potter .....	1,500 00	50 00
4486	Minnie Woodbridge .....	4,257 00	35 00
4498	Jane Bennison .....	5,030 00	50 00
4193	Mary Flahaveen .....	5,000 00	125 00
4204	Emma S. Morgan .....	9,000 00	80 00
4613	Mary Folts .....	2,500 00	70 00
4616	Alonzo W. Harter .....	150 00	25 00
4617	Mary Harter et al. ....	500 00	
4618	Almira McKee .....	2,000 00	Judgment for State.
4645	Mary Dempsey .....	7,500 00	\$25 00
4647	Sarah Joslin .....	350 00	60 00
4650	William Murtaugh .....	200 00	40 00
4653	George I. Seaman .....	5,120 00	25 00
4657	William Steele .....	2,000 00	100 00
4708	Alice M. Atherton .....	2,150 00	20 00
4710	Delilah Carpenter .....	4,500 00	50 00
4711	Marilda A. Crosby .....	3,000 00	55 00
4713	Walter Harding .....	2,300 00	35 00
4715	Charles W. Harter .....	4,416 75	55 00
4718	Thomas Leech .....	1,050 00	Judgment for State.
4721	Josephine C. Sommers .....	2,020 00	\$15 25
4725	Emma Walrath .....	3,050 00	50 00
4997	Frank Brennan .....	1,635 00	30 00
			40 00

CLAIMS FILED ON ACCOUNT OF THE NINE MILLIONS CANAL IMPROVEMENT—(Concluded).

22

[SENATE

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
3867	John Campbell .....	\$233 74	\$36 50
3868	Nelson Shelp and another.....	701 22	109 50
3869	Nelson Shelp .....	136 00	92 00
4019	Martin Gardinier .....	1,041 00	190 00
4020	Maggie Mabce .....	1,030 00	318 00
4021	George O'Loughlin .....	700 00	202 00
4022	Andrew Scrafford .....	200 00	70 40
4186	Charles C. Bellinger.....	515 00	42 00
4658	The McAllister Manufacturing Company.....	1,210 00	10 00
4563	The Carton Furnace Company.....	3,186 38	Judgment for State.
3650	Helen M. Dill et al.....	3,152 50	\$654 00
4709	Rebecca R. Bennett.....	1,500 00	14 00
4716	Martha Hourigan .....	1,000 00	Judgment for State.
Total. ....		\$278,424 52	\$34,600 50

## Claims Filed under Special Acts of the Legislature.

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
3310	The city of Rochester.....	\$147,542 77	Judgment for State.
3395	Alma Farm Company.....	837 50	\$627 50
4159	Samuel S. Carroll and another.....	237 34	237 00
3512	P. Whittlesey Smith.....	424 66	Judgment for State.
3937	Thomas Gilgan.....	830 00	\$400 00
3641	John J. Corkery.....	6,000 00	2,000 00
3335	William A. Green and another.....	5,900 00	4,000 00
3636	Michael T. Horner. Court of Claims rendered judgment dismissing this claim on January 18, 1899. Claimant appealed to Appellate Division, Supreme Court, and judgment of the Court of Claims reversed and new trial ordered. Final judgment rendered upon such new trial in favor of claimant for \$31,020 and costs, \$262.78.		
3250	Albert C. Wood.....	31,020 00	31,282 78
3645	Thomas Killam.....	5,000 00	Judgment for State.
4097	American Axe and Tool Company.....	2,925 29	Judgment for State.
4098	Metropolitan Rubber Company.....	5,962 22	\$5,962 22
4099	Sherry Cottage Company.....	844 62	844 62
3615	Hannah E. Gilbert. Appealed to Appellate Division, Supreme Court.	334 57	334 57
		12,220 00	Judgment for State.
4105	John S. Ells and another.....	117 48	\$117 48
4106	LeGrand Houck.....	108 63	108 63
4107	Thomas A. Pine.....	275 86	275 86

## CLAIMS FILED UNDER SPECIAL ACTS OF THE LEGISLATURE—(Concluded).

No.	NAME OF CLAIMANT.	Amount claimed	Judgment.
4108	George C. Robinson.....	\$219 92	\$219 92
4109	The Walton Electric Light Company.....	339 51	339 51
3756	Sarah E. Lembeck, as administratrix, etc.....	2,458 60	2,458 60
3796	Village of Watkins.....	2,253 70	2,000 00
3086	John Roberts. Judgment rendered in favor of claimant September 15, 1897, for \$7,500. State appealed to Su- preme Court, Appellate Division. Judgment reversed. Claimant appealed to Court of Appeals. Judgment of Appellate Division sustained. Final judgment of this court dismissing claim and for \$206 costs against claim- ant.....		
4104	John Moore .....	138,976 54	Judgment for State.
796	Henry Edwin Tremain and another.....	37,131 39	\$33,137 73
3715	Mary Quick Charles.....	8,975 00	6,400 00
3902	George Hawley .....	1,210 50	400 00
3973	Robert Payne .....	600 00	180 00
3854	Hugh Ramsay .....	2,880 00	495 36
3463	Edward R. Barto.....	4,680 75	Judgment for State.
3863	The County of Sullivan.....	10,000 00	Judgment for State.
		4,118 76	\$2,200 00
	Total.....	\$434,425 61	\$94,021 78

## Claims Other than Canal Claims and Not Filed under Special Acts.

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
1879	Thomas Cullnan .....	\$200 00	Judgment for State.
3976	Lewis S. Clapp.....	1,350 00	Judgment for State.
3624	Henrietta Brown .....	5,370 00	Judgment for State.
3944	Severine E. DeAngelis.....	5,525 00	Judgment for State.
2317	Daniel Murphy .....	170 94	Judgment for State.
2318	John Meagher .....	351 54	Judgment for State.
2335	Michael Ryan .....	39 15	Judgment for State.
2359	John Dunfee .....	215 50	Judgment for State.
2360	Roger Carroll, Jr.....	260 00	Judgment for State.
2361	Patrick Enright .....	150 00	Judgment for State.
2362	Edward Doran .....	162 00	Judgment for State.
4126	F. M. Brown.....	100 00	\$100 00
4127	H. O. Brown.....	30 00	30 00
4128	Charles Franklin .....	39 00	39 00
4129	Albert LaFave .....	20 00	20 00
2403	Charles E. Hunn.....	255 00	Judgment for State.
2404	Clark Fowler .....	168 25	Judgment for State.
2405	James L. Horth.....	167 67	Judgment for State.
2406	Frank Hyatt .....	167 67	Judgment for State.
2407	John W. Hobson.....	326 50	Judgment for State.
2408	Daniel A. McEwan.....	132 60	Judgment for State.
2409	John A. McEwen.....	184 00	Judgment for State.

CLAIMS OTHER THAN CANAL CLAIMS AND NOT FILED UNDER SPECIAL ACTS—(Concluded).

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
2410	Charles D. Merwin.....	\$365 00	Judgment for State.
2411	John F. Murphy.....	203 55	Judgment for State.
2412	Arthur O'Neil .....	205 85	Judgment for State.
2413	Patrick F. O'Neil.....	354 00	Judgment for State.
2414	Isaac W. Phillips.....	345 00	Judgment for State.
2415	Isaac W. Phillips.....	304 00	Judgment for State.
2417	Charles E. Lyles.....	354 00	Judgment for State.
2418	Edgar L. Allen.....	338 00	Judgment for State.
2419	William H. Ackerman.....	289 57	Judgment for State.
2420	George A. Albro.....	177 30	Judgment for State.
2421	Maryland Compson .....	105 50	Judgment for State.
2422	William H. Compson.....	246 50	Judgment for State.
2423	DeForest Compson .....	106 15	Judgment for State.
2424	William Campbell .....	42 88	Judgment for State.
2425	Peter Duffy .....	182 33	Judgment for State.
2442	John Wilson .....	198 95	Judgment for State.
2887	Rufus D. Newton.....	316 51	Judgment for State.
1406	Harriet Hildreth, by guardian, etc.....	5,000 00	Judgment for State.
3422	Daniel Murphy .....	552 00	Judgment for State.
4028	Frank Crooke .....	1,686 16	Judgment for State.
4220	John G. Looschen.....	1,335 00	Judgment for State.
2074	John V. Massett.....	50 00	Judgment for State.



2299	Egbert Sherman .....	50 00	Judgment for State.
2320	Mary Gordon .....	125 00	Judgment for State.
2342	Henry Corell .....	50 00	Judgment for State.
2358	Harry Gordon .....	75 00	Judgment for State.
3322	Edwin K. Thompson .....	50 00	Judgment for State.
3326	Treadwell O. Smith and another .....	183 26	Judgment for State.
3925	Edward G. Kidder .....	4,000 00	Judgment for State.
2099	James Krom .....	115 00	\$105 00
3931	Joseph E. Ennis .....	5,000 00	Judgment for State.
Total .....		\$37,791 33	\$294 00

**RECAPITULATION.**

	Amount claimed.	Amount of judgment.
List No. 1, General canal claims.....	\$552,513 00	\$92,493 08
List No. 2, Nine millions improvement	278,424 52	34,600 50
List No. 3, Under special acts.....	434,425 61	94,021 78
List No. 4, Claims other than canal claims, and not under special acts..	37,791 33	294 00
Totals. . . . .	<u>\$1,303,155 46</u>	<u>\$221,409 36</u>

**NINE MILLIONS CANAL IMPROVEMENT CLAIMS.**

The whole number of these claims filed to date is 707.

Total amount claimed, \$1,169,089.94.

Whole number of such claims decided, 134.

Total amount claimed in the 134 claims decided \$278,424.52.

Total amount of the judgments against the State in such claims decided, \$34,600.50.

This embraces all the claims under this class, none of which were filed and decided before the present year.

**1899.**

Number of claims filed during the year 1899, 828.

Number of claims heard and decided during the year, 453.

Aggregate of amounts claimed in the claims decided, exclusive of interest, \$1,303,155.46.

Aggregate of judgments rendered during the year, \$221,409.36.

**CLAIMS ON FILE.**

The whole number of claims on file upon this date and not decided is 1,355.

The aggregate amount claimed in such claims, exclusive of interest, is \$2,766,485.44.

All of which is respectfully submitted.

CHARLES T. SAXTON,

GEORGE M. BEEBE,

JOHN F. PARKHURST.

Dated ALBANY, N. Y., *December* 31, 1899.







FOURTH ANNUAL REPORT

OF THE

# COURT OF CLAIMS

OF THE

STATE OF NEW YORK.

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TRANSMITTED TO THE LEGISLATURE JANUARY 21, 1901.

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ALBANY:

JAMES B. LYON, STATE PRINTER.

1901.

JUN 23 1916



# STATE OF NEW YORK.

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No. 20.

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## IN SENATE,

JANUARY 21, 1901.

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### Fourth Annual Report of the Court of Claims.

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STATE OF NEW YORK:

COURT OF CLAIMS,

CLERK'S OFFICE, ALBANY, *January 15, 1901.*

HON. TIMOTHY L. WOODRUFF, *President of the Senate:*

Dear Sir.—Herewith I have the honor to transmit to you, for the Legislature of the State of New York, the Fourth Annual Report of the Court of Claims of the State of New York, as required by law.

Very respectfully yours,

PHILIP KECK,

*Clerk.*



# REPORT.

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*To the Legislature of the State of New York:*

The statute requires that the Court of Claims "at the commencement of each session of the Legislature and at such other times during the session as it may deem proper, or as the Senate or Assembly may request" to report "to the Legislature the claims upon which it has finally acted, with a statement of the judgment in each case."

The Court, in accordance with the requirements of the statute, submits its fourth annual report.

For the purposes of this report the claims heard and decided during the year 1900 are divided into four classes, as follows:

*First. General canal claims.*

This class embraces all claims under section 37, chapter 338, of the Laws of 1894, known as the General Canal Law, excepting the so-called canal improvement claims in the second class.

*Second. Claims filed on account of the \$9,000,000 canal improvement.*

The liability of the State in these claims is fixed by the General Canal Law, but the claims arose during the progress and on account of the canal improvement work.

*Third. Claims other than canal claims filed under special acts of the Legislature.*

The claims in this class are known as general claims and arose in other ways than on account of the canals. They were sent to this Court under special acts of the Legislature.

*Fourth. General claims not under special acts.*

These claims do not arise on account of the canals and are not filed under special acts.

# First—Canal Claims Filed under the General Act.

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
3848	Marshall E. Davison .....	\$80 00	\$26 66
4565	James Salisbury .....	200 00	65 00
4912	Ellen Powers .....	300 00	65 00
4950	Frank E. Orendorf .....	75 00	65 00
3803	John P. Angus .....	200 00	60 00
4065	Jonathan G. Sanford .....	5,000 00	Judgment for State.
3853	Jacob Dieffenbacher .....	462 00	293 00
4181	Louis Schwartz .....	50 00	60 00
4423	Charles A. Perry .....	476 00	275 00
4526	Wilson L. Oarter .....	275 00	150 00
4527	John Hayes .....	580 00	280 00
4544	Luther G. Bradshaw .....	100 00	65 00
4545	James Coddington et al. ....	127 91	75 00
4546	Patrick Coffee .....	550 00	300 00
4547	James Davey and another .....	300 00	200 00
4548	Jerry G. Davey .....	950 00	450 00
4549	Julia E. Davis .....	1,265 00	750 00
4550	James Hawkins .....	1,000 00	600 00
4551	Richard Herring .....	200 00	150 00
4552	Mary King .....	330 00	200 00
4553	Addison L. Lankton .....	120 00	75 00
4554	Alonzo H. Northrop .....	300 00	200 00

4555	Town of Parma .....	1,000 00	800 00
4556	Henry L. Pease .....	160 00	120 00
4557	H Ezekiah Peck .....	800 00	475 00
4558	John M. Sweeting .....	190 00	190 00
4559	Josephine H. Tracy .....	224 00	125 00
4560	Edward L. Wallace .....	445 00	175 00
4561	Frank H. Wansley .....	390 00	200 00
4562	George T. Webster .....	410 00	260 00
4606	William H. Howden .....	117 00	65 00
4607	Florence W. Markham .....	240 00	125 00
4608	Village of Spencerport .....	147 00	120 00
4636	Daniel B. Street .....	150 00	90 00
4885	George A. Benton and another .....	122 80	100 00
4897	Henry Cotter .....	45 00	30 00
4994	John B. McCabe .....	536 25	425 00
3478	George D. Miller .....	3,000 00	1,750 00
2072	Frederick Zorn. Final judgment upon remittitur of Appellate Division of the Supreme Court affirming judgment of this Court dismissing claim. Costs against claimant, \$65 .....		
4247	Benedict Brunner .....	1,000 00	Judgment for State.
3114	Simon D. Paddock. Final judgment upon remittitur of the Appellate Division of the Supreme Court affirming a judgment of \$900 made by this Court in favor of claimant, with \$65.50 costs in favor of the State .....	1,200 00	620 00
4584	James P. Doyle, as administrator, etc. ....	6,000 00	1,023 90
4418	Ira D. Watson .....	1,000 00	Judgment for State.
		600 00	175 00

FIRST—CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Continued).

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
4564	Sylvester L. Downs .....	\$560 98	\$300 00
4611	James Launan and another .....	600 00	50 00
4835	Sarah Duffy .....	188 00	50 00
4866	Jacob Scroth .....	200 00	70 00
5002	Badge and another .....	100 00	60 00
5003	Mary L. Chase .....	200 00	150 00
5004	Amon DeRoller .....	425 00	170 00
5005	Gardner Frisbee .....	165 00	75 00
5006	Fred. E. Gardner and another .....	413 40	220 00
5007	Frances M. Northrup .....	188 00	80 00
5008	William Spencer .....	75 00	50 00
5009	Charles G. Worbois .....	178 00	120 00
5012	William Albrecht and another .....	1,429 25	450 00
5013	Elizabeth Russ .....	200 00	95 00
5016	Burton H. Goff .....	700 00	150 00
5017	George W. Hartwell .....	33 59	30 00
5018	Michigan Carbon Works .....	364 85	264 00
5019	William B. Moore and another .....	182 70	130 00
5020	Panama A. Campbell .....	550 00	215 00
5021	Peter Helfrich .....	204 00	100 00
5028	James H. Breze .....	105 00	55 00
5034	The town of Ogden .....	237 65	150 00

5050	Henry M. Groves .....	195 00	100 00
5048	Margaret Hicks and another .....	100 00	26 50
3672	Seymour Holbrook and others .....	1,504 50	888 00
3744	Alice C. Lasher .....	1,131 00	936 83
3737	Austin J. Bettinger .....	180 00	115 00
3899	St. Paul Fire and Marine Insurance Co. and another. ....	4,846 72	4,846 72
3923	Union Marine Insurance Co., Limited. ....	5,744 28	5,744 28
4216	William Weed .....	10,700 00	150 00
5027	Sarah E. Lembeck .....	47 55	47 55
5040	Martin Oppen .....	51 11	51 11
4365	St. Paul Fire and Marine Insurance Co. ....	375 00	300 00
4374	St. Paul Fire and Marine Insurance Co. ....	1,027 64	800 00
4377	St. Paul Fire and Marine Insurance Co. and another. ....	2,132 91	1,500 00
4383	St. Paul Fire and Marine Insurance Co. and another. ....	1,970 17	1,500 00
4391	Western Assurance Co. of Toronto. ....	936 20	600 00
4393	Union Marine Insurance Co., Limited. ....	552 62	425 00
4394	Union Marine Insurance Co., Limited. ....	170 46	150 00
4946	St. Paul Fire and Marine Insurance Co. and another. ....	95 40	80 00
4947	St. Paul Fire and Marine Insurance Co. and another. ....	184 73	150 00
4948	Union Marine Insurance Co., Limited. ....	128 26	100 00
4858	St. Paul Fire and Marine Insurance Co. and another. ....	3,302 49	1,900 00
4138	John E. Gaze .....	367 60	Judgment for State.
4500	Charles Murphy .....	298 91	290 00
1893	John J. Bohn and another. ....	2,600 00	Judgment for State.
3426	Douglas L. White and another. ....	348 92	Judgment for State.
3519	Sophia Boldt .....	95 75	Judgment for State.
3520	Mary M. Berg .....	100 00	Judgment for State.

## FIRST—CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Continued).

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
3521	Louisa Brave et al. ....	\$180 00	Judgment for State.
3522	Henry Carney .....	140 00	Judgment for State.
3523	Henry Carney .....	457 00	Judgment for State.
3524	Joseph M. Carney .....	177 89	Judgment for State.
3525	Paul S. Clark .....	470 00	Judgment for State.
3526	Daniel Desmond .....	86 00	Judgment for State.
3527	Margaret Desmond .....	53 00	Judgment for State.
3528	Joseph Eberle .....	1,877 00	Judgment for State.
3529	Minnie Eberle .....	462 05	Judgment for State.
3530	William F. Futz et al. ....	2,000 00	Judgment for State.
3531	Mary Fisher .....	78 00	Judgment for State.
3532	Augustus Fry .....	2,945 00	Judgment for State.
3533	Dominicus Grieser .....	490 80	Judgment for State.
3534	Charles J. Gau and another .....	76 00	Judgment for State.
3535	John Harmon .....	410 00	Judgment for State.
3536	Joseph Harmon .....	196 00	Judgment for State.
3537	John Henning .....	57 00	Judgment for State.
3538	Frederick Heppner .....	303 10	Judgment for State.
3539	Caroline Hawker .....	108 00	Judgment for State.
3540	William Harning .....	200 00	Judgment for State.
3541	Albert Hahn .....	121 00	Judgment for State.
3542	Theodore Hugger .....	324 00	Judgment for State.



3543	Kate Janowski .....	190 00	Judgment for State.
3544	Emma Kinsey .....	200 00	Judgment for State.
3545	Laura Krohl .....	160 00	Judgment for State.
3546	Bridget Kelly .....	117 50	Judgment for State.
3547	Reinhold Kluge .....	188 00	Judgment for State.
3548	Dorothy Krieger .....	118 00	Judgment for State.
3549	Adolph Luther .....	104 00	Judgment for State.
3550	Maria Leberz .....	189 00	Judgment for State.
3551	Nicholas Lockmann .....	886 20	Judgment for State.
3552	Frederick Laborn .....	550 94	Judgment for State.
3553	Frank Lockman .....	462 00	Judgment for State.
3554	Helena Langdon .....	142 00	Judgment for State.
3555	Cordelia Langdon .....	172 00	Judgment for State.
3556	Charles Langbehn .....	262 50	Judgment for State.
3557	John Matthies .....	324 00	Judgment for State.
3558	Christian J. Miller .....	115 00	Judgment for State.
3559	Charles Mocknke .....	428 00	Judgment for State.
3560	Christian J. Miller .....	573 00	Judgment for State.
3561	August W. Pasel .....	200 00	Judgment for State.
3562	Frederick Pasel .....	140 00	Judgment for State.
3563	Hattie L. Price .....	500 00	Judgment for State.
3564	Frederick Roehrdanz .....	130 00	Judgment for State.
3565	John M. Riesterer .....	170 00	Judgment for State.
3566	Henry Reppentine .....	578 00	Judgment for State.
3567	Charles Rohrdanz .....	155 00	Judgment for State.
3568	Christian Sass .....	177 00	Judgment for State.
3569	John Schrier .....	130 00	Judgment for State.

FIRST—CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Continued).

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
3570	Mary J. Stuart .....	\$200 00	Judgment for State.
3571	Catherine Schrier .....	200 00	Judgment for State.
3572	George Schrier .....	197 50	Judgment for State.
3573	Charles Thursam .....	284 80	Judgment for State.
3574	George Urban .....	350 00	Judgment for State.
3575	Louisa Vandre .....	450 00	Judgment for State.
3576	Elizabeth Wythe .....	62 00	Judgment for State.
3577	Elizabeth Woods .....	479 00	Judgment for State.
3578	Mary Zietler .....	174 00	Judgment for State.
3579	Henry Zieker .....	103 00	Judgment for State.
3612	Martin Riesterer and another .....	2,881 75	Judgment for State.
3613	Christoph Schwinger .....	545 00	Judgment for State.
3810	Addie Adams .....	250 00	Judgment for State.
3811	Frederick Labem .....	472 00	Judgment for State.
3886	Eugene V. Brow .....	175 00	125 00
4376	St. Paul Fire and Marine Insurance Company and another .....	257 70	175 00
4379	St. Paul Fire and Marine Insurance Company and another .....	335 28	250 00
4380	St. Paul Fire and Marine Insurance Company and another .....	213 01	150 00
4382	St. Paul Fire and Marine Insurance Company and another .....	229 89	150 00
4514	William McNally .....	1,517 42	Judgment for State.
2269	Francis McArdell, as administrator, etc. ....	2,440 00	1,008 00
2953	Francis McArdell, as administrator, etc. ....	1,000 00	320 00

3794	Mabel French, as administratrix, etc.	250 00	50 00
3936	Georgia A. Webster	10,000 00	500 00
4834	Noyes D. Webster	750 00	300 00
4223	John Tanner	3,000 00	1,000 00
3175	George A. Devel	2,000 00	Judgment for State.
4963	The Duncan Company	413 18	250 00
5269	Charles A. Fowler	45 86	45 86
5143	St. Paul Fire and Marine Insurance Company	1,251 86	Judgment for State.
5144	James Carruthers and another	197 39	Judgment for State.
4702	Peter Vrooman	600 00	175 00
4959	William T. Mannis	2,050 00	200 00
3906	St. Paul Fire and Marine Insurance Company	436 38	350 00
3907	Western Assurance Company of Toronto	3,705 62	2,700 00
4361	St. Paul Fire and Marine Insurance Company	723 40	550 00
4362	St. Paul Fire and Marine Insurance Company	568 40	400 00
4366	St. Paul Fire and Marine Insurance Company	658 57	500 00
4367	St. Paul Fire and Marine Insurance Company	693 85	500 00
4371	St. Paul Fire and Marine Insurance Company and another	4,779 17	3,500 00
4372	St. Paul Fire and Marine Insurance Company and another	4,205 78	3,400 00
4373	St. Paul Fire and Marine Insurance Company and another	2,480 85	1,860 00
4378	St. Paul Fire and Marine Insurance Company and another	2,142 65	1,600 00
4381	St. Paul Fire and Marine Insurance Company and another	2,019 95	1,500 00
4387	Western Assurance Company of Toronto	2,562 89	2,000 00
4388	Western Assurance Company of Toronto	4,152 21	2,800 00
5140	Sanford E. Cobb	663 43	500 00
5141	Sanford E. Cobb	597 04	450 00
5142	Sanford E. Cobb	341 75	250 00

## FIRST—CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Continued).

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
5145	Sanford E. Cobb .....	\$93 83	\$225 00
5146	Sanford E. Cobb .....	80 71	50 00
5147	Sanford E. Cobb .....	133 84	100 00
5148	Sanford E. Cobb .....	158 37	100 00
5149	Sanford E. Cobb .....	694 62	500 00
5150	Providence-Washington Insurance Company .....	462 06	350 00
5151	Providence-Washington Insurance Company .....	237 05	175 00
4338	Antoinette Linendoll .....	300 00	75 00
4924	Augustus F. Miller .....	24 75	24 75
4966	George Bowers .....	300 00	175 00
3109	The Glenside Woolen Mills .....	67,000 49	26,116 82
1864	The Glenside Woolen Mills .....	11,605 56	6,814 63
3455	Alonzo Denton and another .....	15,000 00	Judgment for State.
3710	Forestport Lumber Company .....	27,000 00	Judgment for State.
3707	James Gallagher, Jr. ....	4,500 00	Judgment for State.
3709	Woodhull Lumber Company .....	23,000 00	Judgment for State.
3708	William Syphert and another .....	5,000 00	Judgment for State.
3328	Phonora A. Ryder .....	864 00	25 00
4911	Henry O'Bryan .....	2,465 00	733 33

3655	Michael J. Lawless and John Tierney	Consolidated...		
4743	Michael J. Lawless and John Tierney	Final judgment upon remittur of the Appellate Division of the Supreme Court affirming a judgment rendered by this court in favor of claimants, judgment for \$1,055.65 and costs, \$102.21.	1,120 00	1,157 86
3736	Nettie Bloss		190 00	142 00
3738	Emma Button		534 00	308 00
3739	DeWitt Clinton Fargo and another		320 00	270 00
3740	Samuel Hurd and another		201 00	150 00
3741	Nancy A. Jones, as administratrix, etc., and another		246 00	216 00
3742	Eureka Kinetz		335 00	212 00
3743	Henry T. King and another		840 00	702 00
3745	Henry M. Lasher		424 00	270 00
3746	Joseph Oot		270 00	168 50
3747	Joseph Q. Prosser		140 00	120 00
3748	George H. Souter and another		275 00	222 00
3749	Ira Smith		190 00	171 00
3750	William Tegg		55 00	55 00
3659	John Buchner		268 00	206 00
3661	Albert Critenden		422 00	291 50
3662	Henry Carhart		218 00	124 00
3663	David Collins		519 50	408 00
3664	Jane L. Davidson		100 00	81 75
3665	Ada B. Dana		340 00	100 00
3666	Peter Ebb		738 00	463 00
3667	Peter Ebb, Jr.		699 22	466 00

## FIRST--CANAL CLAIMS FILED UNDER THE GENERAL ACT--(Concluded).

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
3668	Sanford Eckenbeck .....	\$328 00	\$213 00
3669	Joseph Firnstein and another .....	320 50	245 50
3670	John N. Fastler .....	676 00	468 00
3671	Nicholas Freiss .....	427 00	239 00
3673	Nicholas Hullar .....	200 00	90 00
3674	Matilda Huntley .....	616 00	366 00
3675	Ursula Kent and another .....	333 00	257 00
3676	Mary A. Lewis .....	623 00	511 50
3677	Sylvester Myers .....	407 00	227 00
3678	Hiram Merrill .....	175 00	50 00
3679	John McConville .....	125 00	40 00
3680	Mary Plank .....	607 00	361 00
3681	Lena Reightmeyer .....	123 00	88 00
3682	Jacob Snyder .....	203 25	132 00
3683	Mark Shepp .....	598 00	551 00
3684	William G. Stearns and another .....	708 50	421 00
3685	Peter I. Terpening .....	145 00	127 50
3686	Charles Taylor and another .....	756 50	565 00
3687	Sarah J. Van Schaick and another .....	640 00	405 00
3688	Ephriam E. Woodward .....	225 00	96 00
3689	Theodore Walrath and another .....	433 00	273 00
3701	Simon Maringer .....	185 25	112 00

3702	Benjamin Rathbaler and another .....	358 00	350 00
3703	Viola Shepp and another .....	345 00	289 50
3704	John Taffner .....	380 00	266 00
5239	Napoleon Bleau .....	5,000 00	225 00
	Total .....	\$342,390 16	\$111,205 05

# Second—Claims Filed on Account of the Nine Millions Canal Improvement.

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
4077	Lewis W. V. Groat .....	\$600 00	Judgment for State.
4734	Daniel N. Place and another .....	800 00	\$225 00
4318	Benjamin Brooks .....	2,500 00	1,650 00
4642	Jennie Hilton .....	200 00	80 00
4465	Adeline P. Kidd and another .....	444 34	Judgment for State.
4907	James W. Watts .....	1,200 00	Judgment for State.
4800	John Foster .....	775 00	Judgment for State.
4997	John Irving .....	150 00	60 00
4122	Fannie J. Fay .....	250 00	25 00
4628	George L. Blodgett .....	44 50	35 00
4629	William Blodgett .....	97 00	80 00
4630	John Carney .....	14 50	12 00
4631	Edwin Cosman .....	20 00	16 00
4632	John Garet .....	106 00	90 00
4633	Henry Moorman and another .....	99 00	75 00
4634	Thomas Murphy .....	66 00	45 00
4635	Edward Stamp .....	95 00	80 00
4637	Martha L. Cooper .....	180 00	80 00
4685	Grant Wright .....	149 00	90 00
4781	Gilbert J. Hamlin .....	140 00	65 00
4936	George W. Sims .....	167 80	160 00
4585	Jacob Northaft and another .....	675 00	135 00



4167	John Culhane .....	1,525 00	450 00
4352	Joseph Moss .....	254 50	15 00
4652	Henry H. Reed .....	700 00	75 00
4871	William A. Beal .....	692 10	249 95
4873	Robert Hunter .....	200 00	35 00
4875	Samuel Smith .....	200 00	90 00
4295	John E. Corbett .....	3,700 00	118 20
4461	Mary L. Kusse .....	193 00	100 00
4870	John Allyn .....	473 70	210 00
4872	John Foster .....	475 00	152 40
4874	Charlotte McLeod .....	557 40	210 00
4286	Charlotte King .....	1,361 00	200 00
4076	Jesse Groat .....	1,022 00	75 00
4463	Margaret Fritcher .....	700 00	125 00
3997	William G. Schermerhorn .....	2,050 00	400 00
3983	Alexander P. Sherman and another .....	4,470 00	175 00
4447	The American Broom and Brush Company .....	2,380 00	100 00
4614	Philip A. Fonda .....	2,950 00	200 00
3832	Julian W. Geare .....	460 00	100 00
4092	Fred McMahon .....	1,082 00	198 00
4093	Michael Reynolds .....	335 00	191 80
4094	Charles Zarpentine } consolidated.	918 50	240 40
4958	Charles Zarpentine }		
4148	J. Jost Wagner .....	264 00	110 00
4355	John Shaffer .....	3,330 00	196 98
4430	Christian F. Auspelmier .....	1,750 00	75 00
4284	Valerie Hoyt .....	750 00	90 00

## SECOND—CLAIMS FILED ON ACCOUNT OF THE NINE MILLIONS CANAL IMPROVEMENT—(Continued).

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
4432	George W. Doty .....	\$2,200 00	\$280 00
4998	Ruth Sitzler .....	250 00	210 00
3974	Anna Sprague .....	783 00	Judgment for State.
3892	Francis M. Sweet et al. ....	3,298 45	720 00
4015	Charles Barnes .....	5,000 00	Judgment for State.
4351	John Long .....	1,800 00	50 00
4349	John Crough .....	2,000 00	200 00
4431	Mary Dean .....	1,975 00	60 00
4627	Bryan Donnelly .....	375 00	70 00
4567	Caroline Brewer .....	2,150 00	25 00
4353	Mrs. Martin O'Neil .....	1,450 00	75 00
4350	Patrick Crough .....	1,550 00	298 00
4435	John Fagan .....	1,230 00	443 50
4358	George S. Tremper and another .....	800 00	50 00
4347	George Burch .....	2,460 00	500 00
4659	Rachel C. Willetts .....	4,300 00	90 00
4938	George B. Harmon and another .....	300 00	125 00
4091	Ida M. Gordon, as executor, etc. ....	425 00	199 67
4147	Mary C. Maier .....	405 00	77 67
4149	Catherine Volkmar .....	450 00	121 70
4178	Mary L. Cotter and another .....	100 00	12 00
4179	Margareth Miller .....	720 00	208 90

4180	George B. Sage .....	934 50	130 17
4219	Fred Schutte .....	1,782 50	185 00
4277	Thomas C. Berry .....	2,185 00	133 00
4278	Ann Buckley .....	300 00	45 00
4279	George M. Crippen .....	850 00	182 50
4280	George Diver .....	655 00	85 00
4281	George Diver .....	1,135 00	75 00
4282	Aurelia C. Heddon .....	903 00	128 00
4283	Johanna Hilbert, as administratrix, etc. ....	985 00	105 00
4285	Henry N. Johnston .....	309 00	41 00
4287	Francis King and another .....	355 00	50 00
4288	Ellen Lorback et al. ....	775 00	25 00
4289	Ellen Lorback et al. ....	750 00	25 00
4290	Mary A. McGiven .....	595 00	45 00
4291	Patrick Meehan .....	300 00	45 00
4292	Catherine Slavin, as administratrix, etc. ....	350 00	55 00
4293	John Welch } consolidated .....	1,290 00	102 50
4294	John Welch }		
4325	Benjamin C. Eaton et al. ....	600 00	118 50
4327	William Ross .....	500 00	207 00
4328	Marianna Webber .....	330 00	46 50
4345	Albert Luitweiler .....	128 00	35 40
4415	Mary Lavey .....	300 00	110 00
4420	Alva O. Britton .....	400 00	25 00
4421	Alva O. Britton et al. ....	850 00	50 00
4512	Andrew Jackson Laffler .....	280 00	25 00
4575	Catherine Miller .....	300 00	160 00

SECOND—CLAIMS FILED ON ACCOUNT OF THE NINE MILLIONS CANAL IMPROVEMENT—(Continued).

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
4609	Calista E. Gunsaul .....	\$200 00	\$47 50
4610	George S. Hines .....	150 00	55 00
4638	Mary L. Cotter and another .....	100 00	20 00
4689	DeWitt Clinton Burnett .....	45 00	20 00
4739	Milo Nickerson et al. ....	400 00	55 00
4794	Darwin H. Balcom .....	500 00	50 00
4795	Charles H. Down .....	342 50	240 00
4899	Climena L. Mooney .....	540 00	100 00
4931	Ellen J. Dalmadge .....	930 00	60 00
4932	William H. Benedict .....	270 00	25 00
4933	Sarah A. King .....	535 00	25 00
4939	Ann Eliza Hendricks et al. ....	1,000 00	250 00
4944	Luther Talman .....	700 00	176 95
4965	Joseph Duncan .....	1,225 00	175 50
4937	Rhoda E. Groves .....	265 00	130 00
4462	Henry Gwynne .....	800 00	279 49
4339	Theodore A. Drake } consolidated. ....	1,105 00	418 00
4919	Theodore A. Drake }		
4832	Eugene B. Heustic } consolidated. ....	175 00	50 00
5070	Eugene B. Heustic }		
4833	Levantia C. Stevens } consolidated. ....	225 00	55 00
5071	Levantia C. Stevens }		

3858	James Brown .....	500 00	370 50
3891	Town of Lenox .....	817 53	750 00
3914	Maria C. Barlow .....	825 00	125 00
3915	Anna M. Beach .....	100 00	35 00
3916	Charles F. Barlow .....	200 00	50 00
3917	James Delaney .....	150 00	75 00
3918	Edwin Farr and another .....	179 22	125 00
3919	Catherine Roundy .....	190 00	45 00
3920	John R. Shaffer .....	420 00	180 63
3921	Susan M. Wilson .....	100 00	35 00
3927	Martin State .....	138 00	138 00
4151	Levi Kelly .....	300 00	250 00
4172	Emma Dolley .....	199 99	30 00
4174	Thomas Sullivan .....	100 00	30 00
4175	Sophia Mack .....	100 00	30 00
4272	James Connell .....	350 00	300 00
4273	Paul Greenwood .....	310 00	310 00
4274	Mary A. Howe .....	350 00	300 00
4489	Jane M. Coe and another .....	100 00	110 00
4499	Mary A. Connors .....	260 00	260 00
4857	Jennie F. Osgood and another .....	425 00	325 00
5039	Sylvester W. Treat .....	500 00	200 00
5083	W. H. Eldredge .....	150 00	80 00
5164	John E. O'Sullivan .....	350 00	250 00
4075	William H. Slade .....	6,111 28	Judgment for State.
3728	James W. Scribner .....	150 00	100 00
3816	The Lumber Exchange Bank .....	1,500 00	800 00

## SECOND—CLAIMS FILED ON ACCOUNT OF THE NINE MILLIONS CANAL IMPROVEMENT—(Continued).

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
4165	Arthur Hill et al.	\$1,272 50	\$450 00
4973	Elizabeth C. Mabee	11,605 00	1,200 00
3979	Eugene M. Draper	655 36	Judgment for State.
3981	Julia Borgersrud	1,145 00	Judgment for State.
3781	Edward A. Van Alstyne et al.	1,375 10	400 00
3806	Harvey Stewart et al.	13,762 50	3,305 00
3789	Libbie Dwyer	2,225 00	260 00
3888	John A. Bradley	10,000 00	1,000 00
4540	Adelaide A. Sweet	2,600 00	20 00
4344	Christian Hoff	273 00	160 00
4066	Amelia L. Stevenson and another	1,500 00	Judgment for State.
4068	Amelia L. Stevenson	2,500 00	Judgment for State.
4070	James M. Smith and another	2,500 00	Judgment for State.
4071	Frank L. Thorn and another	2,500 00	Judgment for State.
4085	Richard Brennan	6,000 00	Judgment for State.
4086	Henry Dechert	4,000 00	Judgment for State.
4146	Lewis H. Gipp	1,750 00	350 00
5158	George R. Russell, as executor, etc.	457 50	78 00
5159	Moses Burst	434 50	80 00
5160	Mary S. Goodier	468 00	93 00
5161	Patrick F. Loftus	646 25	94 75
5162	Mary A. Potter	661 00	106 00

5184	William T. Turnbull	494 40	283 00
5185	James W. Turnbull	416 30	224 00
4137	Edward Joy et al.	10,500 00	2,883 10
4805	Sarah F. Conyne	400 00	50 00
3977	John Stiles } consolidated.	1,050 00	270 00
5068	John Stiles }		
3978	Abbie J. Varney } consolidated.	3,350 00	348 00
5069	Abbie J. Varney }		
4591	Sarah D. Baldwin	276 25	145 00
4592	John Bruin } consolidated	580 00	180 00
5354	John Bruin }		
4704	Frank D. Carleton } consolidated.	800 00	203 00
5066	Frank D. Carleton }		
5355	Frank Doren et al.	100 00	90 00
5356	N. D. Larraway	75 00	80 00
5357	Charles Talmadge	75 00	60 00
4809	Kate Flannigan } consolidated	475 00	150 00
5358	Kate Flannigan }		
4113	George H. Newton } consolidated.	3,471 00	675 00
5307	George H. Newton }		
4503	Frank Harris, by guardian, etc.	400 00	135 00
4504	Gertrude M. Harris, by guardian, etc.		
5349	Frank Harris, by guardian, etc., and another }		
4537	Mary A. Parker } consolidated.	2,025 00	230 00
5309	Mary A. Parker }		
5278	Alma B. Paris	708 00	493 00

SECOND—CLAIMS FILED ON ACCOUNT OF THE NINE MILLIONS CANAL IMPROVEMENT—(Concluded).

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
4641	Charles T. Wright } consolidated	\$700 00	\$130 00
5314	Charles T. Wright }		
5303	James Guerin	25 00	35 00
4155	Mary Mullen } consolidated	640 00	145 00
5306	Mary Mullen }		
4112	Daniel S. Griffin and another } consolidated	1,600 00	450 00
5304	Daniel S. Griffin and another }		
4134	Fred H. Owens consolidated	1,600 00	325 00
5308	Fred H. Owens		
4244	Ellen Barry consolidated	635 00	160 00
5302	Ellen Barry		
4308	Willard L. Peabody } consolidated	2,950 00	590 00
5310	Willard L. Peabody }		
4428	George Wells } consolidated	700 00	168 00
5312	George Wells }		
4429	Joseph Wells } consolidated	900 00	200 00
5313	Joseph Wells }		
5045	Walter S. Marriott and another, as administrators	100 00	90 00
4621	Cyrus W. Rexford	6,100 00	190 52
4072	Joseph McClearn	6,250 00	Judgment for State.
4073	Fred H. Bair	10,700 00	Judgment for State.
4140	Samuel Wasson	7,336 28	Judgment for State.



4502	Alice Oreighton .....	843 00	172 85
4573	Evaline Marlette .....	2,150 00	527 08
4060	Catherine Mazer .....	1,036 00	311 00
3807	Patrick J. Johnson, as receiver, etc. ....	10,640 00	4,000 00
3890	Henry Dunnigan .....	600 00	110 00
4080	John King .....	600 00	275 00
4081	Amanda B. Goodridge et al. ....	975 00	75 00
4082	John Ricker } consolidated. ....	1,120 00	75 00
4083	John Ricker }		
4119	Fred Nichols and another .....	500 00	37 50
4501	Michael Mullett .....	650 00	50 00
4017	Ira Todd .....	5,000 00	Judgment for State.
4034	Robert Laidlaw et al. ....	6,518 59	6,198 50
5082	Charles C. Adams et al. ....	200 00	100 00
Total. ....		\$282,708 84	\$49,287 61

**Third—Claims other than Canal Claims Filed under Special Acts of the Legislature.**

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
3628	The Mayor, Aldermen, etc., of New York City.....	\$15,000 00	\$15,000 00
1122	The Board of Supervisors of the County of Clinton.....	890 94	890 94
4453	Addison L. Upham .....	2,737 99	Judgment for State.
3855	Wynkoop Hallenbeck Crawford Company.....	132,520 48	130,757 36
4898	The County of Westchester .....	8,583 69	8,583 69
3928	James Grant .....	10,000 00	500 00
5237	William H. Meserve .....	1,333 33	1,333 33
4154	James Roy and Company .....	37,873 51	Judgment for State.
5179	James Roy and Company .....	19,258 36	19,258 36
5058	John G. Looschen .....	1,335 00	1,335 00
5063	G. Herbert Cone, as surveyor, etc.....	1,733 75	1,533 75
2926	Charles A. Merritt .....	13,054 92	3,000 00
5046	American Bank Note Company .....	880 00	Judgment for State
4419	William L. Mead .....	5,000 00	Judgment for State.
3246	Herbert P. Bissell, as receiver, etc.....	17,391 40	Judgment for State.
	Total.....	\$267,593 37	\$182,192 43

## Fourth—Claims other than Canal Claims and Not Filed under Special Acts.

No.	NAME OF CLAIMANT.	Amount claimed.	Judgment.
4115	Alfred Marsh .....	\$63 44	\$63 44
3884	Henry W. Cane et al. ....	80,086 75	9,755 75
5289	Agnes Mahoney .....	69 00	Judgment for State.
2940	Henry E. Wells .....	350 00	Judgment for State.
4855	Agnes Moran .....	4,789 67	Judgment for State.
3942	Weed-Parsons Printing Company .....	45,386 47	8,397 31
	Total .....	\$130,745 33	\$18,216 50

**RECAPITULATION.**

	Amount claimed.	Judgment.
First class. General canal claims.	\$342,390 16	\$111,205 55
Second class. Nine millions improve- ment. . . . .	282,708 84	49,287 61
Third class. General claims under special acts . . . . .	267,593 37	182,192 43
Fourth class. General claims not un- der special acts. . . . .	130,745 33	18,216 50
	<hr/>	<hr/>
Totals. . . . .	\$1,023,437 70	\$360,903 09
	<hr/>	<hr/>

**DECIDED IN 1900.**

Five hundred and ten claims have been heard and decided during the year.

The aggregate amount claimed in such claims is \$1,023,437.70, exclusive of interest.

The aggregate amount of judgments in such claims is \$360,903.09.

**FILED IN 1900.**

During the present year 418 claims have been filed.

The amount claimed in such 418 claims is \$2,787,226.70, exclusive of interest.

**CLAIMS ON FILE.**

The whole number of claims now on file and not decided is 1,263.

The aggregate amount claimed in such claims, exclusive of interest, is \$4,530,477.44.

**NINE MILLIONS CANAL IMPROVEMENT CLAIMS.**

These claims were first filed in the year 1899, and the following statement covers both years 1899 and 1900.

Whole number of claims filed, 878.

Aggregate amount claimed, \$2,399,393.52, exclusive of interest.

Number of such claims heard and decided, 370.

Total amount claimed in the claims decided, \$561,334.96, exclusive of interest.

Aggregate of judgments rendered, \$84,075.11.

Claims pending, 513.

Aggregate amount claimed in claims pending, \$1,838,058.56, exclusive of interest.

All of which is respectfully submitted.

CHARLES T. SAXTON,

JOHN F. PARKHURST,

JOHN M. KELLOGG.

*Judges of the Court of Claims.*

Dated ALBANY, N. Y., *December 31, 1900.*



FIFTH ANNUAL REPORT

OF THE

# COURT OF CLAIMS

OF THE

STATE OF NEW YORK

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TRANSMITTED TO THE LEGISLATURE JANUARY 13, 1902

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2

ALBANY

J. B. LYON COMPANY, STATE PRINTERS

1902

JUN 23 1916



# STATE OF NEW YORK.

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No. 13.

## IN SENATE,

JANUARY 13, 1902.

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### Fifth Annual Report of the Court of Claims.

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STATE OF NEW YORK:

COURT OF CLAIMS,

CLERK'S OFFICE, ALBANY, *January 13, 1902.*

HON. TIMOTHY L. WOODRUFF, *President of the Senate:*

Dear Sir.—Herewith I have the honor to transmit to you, for the Legislature of the State of New York, the Fifth Annual Report of the Court of Claims of the State of New York, as required by law.

Very respectfully yours,

CHARLES E. PALMER,

*Clerk.*



# REPORT.

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*To the Legislature of the State of New York:*

The statute requires that the Court of Claims "at the commencement of each session of the Legislature and at such other times during the session as it may deem proper, or as the Senate or Assembly may request" to report "to the Legislature the claims upon which it has finally acted, with a statement of the judgment in each case."

The Court, in accordance with the requirements of the statute, submits its fifth annual report.

For the purposes of this report the claims heard and decided during the year 1901 are divided into four classes, as follows:

*First. General canal claims.*

This class embraces all claims under section 37, chapter 338, of the Laws of 1894, known as the General Canal Law, excepting the so-called canal improvement claims in the second class.

*Second. Claims filed on account of the \$9,000,000 canal improvement.*

The liability of the State in these claims is fixed by the General Canal Law, but the claims arose during the progress and on account of the canal improvement work.

*Third. Claims other than canal claims filed under special acts of the Legislature.*

The claims in this class are known as general claims and arose in other ways than on account of the canals. They were sent to this Court under special acts of the Legislature.

*Fourth. General claims not under special acts.*

These claims do not arise on account of the canals and are not filed under special acts.

# First—Canal Claims Filed under the General Act.

No.	NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment
1870	Lakeside Paper Company. Final judgment upon remittur of Appellate Division, Third Department. Judgment for damages \$3,342.86. Judgment for costs of appeal \$153.50.	\$4,826 00	\$3,496 36
4690	Alice M. Johnson and another.....	1,445 75	931 00
3660	John Borgen.....	489 00	398 00
3700	Frank E. Dewey et al.....	602 50	419 50
3656	Crown Mills }.....		
4732	Crown Mills }.....		
	Final judgment upon remittur of Appellate Division, Supreme Court, Third Department, affirming a judgment of this court in favor of claimant.	9,164 15	4,046 03
3657	Susan E. Rathbun. Final judgment upon remittur of Appellate Division, Supreme Court, Third Department, affirming a judgment of this court in favor of claimant.....	2,086 26	957 34
3658	Isaac N. Sherman. Final judgment upon remittur of Appellate Division, Supreme Court, Third Department, affirming a judgment of this court in favor of claimant.	1,068 00	1,080 37
3716	Allen V. Smith, Final judgment upon remittur of Appellate Division, Supreme Court, Third Department, affirming a judgment of this court in favor of claimant.....	3,205 05	2,150 33
5207	Rachel Fort and another.....	180 00	30 00
5210	Charles Lasher.....	180 00	40 00
5216	Tunis C. Pearce.....	200 00	60 00

5215	Mariah G. Pearse et al.	200 00	50 00
5218	William H. Smith	150 00	50 00
5225	Alexander W. Shepherd	200 00	35 00
5220	William Van Vranken	180 00	30 00
5231	Leonard Gove	180 00	25 00
3697	Chauncey Baum	118 00	118 50
3698	Martin Becker	300 00	200 00
3699	George Dence	172 00	172 00
3724	William Everson	3,600 00	1,465 00
3761	William Johnson	254 00	201 25
3764	Millard S. Porter	600 00	360 00
3765	Angela C. Rogers, Individual and as Administratrix, etc.	611 00	525 00
3767	Charles H. Schell	450 00	367 00
3815	Ira Fancher	529 00	264 00
4143	George Dence	96 00	66 00
4130	Jane M. Fonda	800 00	150 00
5373	Jane M. Fonda } Consolidated		
3421	Charles Helmer and another	711 00	Judgment for State.
3764	Albert J. Helfer	410 00	95 00
3785	James Harter	212 00	153 00
3786	Elmer E. Harter	82 50	82 50
3787	Abram Shoemaker	323 93	110 00
3788	Daniel Saterlee and another	111 75	86 50
3872	Jonn W. Barnett	540 00	115 00
3873	James W. Barnett	564 00	75 00
3874	Martin J. Butler et al.	860 00	135 00
3875	Thomas A. Cavenor	100 00	32 50
3876	Jefferson Cypher	250 00	87 50
3877	Amos Jackson	140 00	75 00

FIRST—CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Continued.)

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SENATE

No.	NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
3878	Betsey Kelsey.....	\$1,040 00	\$60 00
3879	John F. McNamara.....	700 00	225 00
3880	Enoch C. Nicholson.....	1,596 00	60 00
3881	Myron S. Pickard.....	300 00	113 00
3882	Sarah E. Wright.....	300 00	75 00
3903	Stephen Reals.....	701 50	482 00
3941	Andrew J. Covell.....	200 00	75 00
3949	Baltz Burst.....	300 00	75 00
3984½	Charles A. Lux.....	310 00	260 00
4008	James H. Delaney.....	135 30	127 00
4009	Anthony Kippley.....	120 00	94 50
4045	Parnella Dawson et al.....	425 00	270 00
4046	Frederick H. Ebeling as Executor, etc.....	552 50	408 50
4047	Sephrona A. Hills.....	552 50	344 00
4101	Charles Moore.....	756 00	237 00
4102	Anton Seiler.....	600 00	260 00
4103	George Weigand.....	925 00	285 00
4145	P. Klatz and another as Executors, etc.....	170 00	124 00
3926	Hiram A. Davenport.....	750 00	Judgment for State.
3933	Stephen Reals.....	395 00	258 00
3113	John E. Waller, Final judgment upon a new hearing granted by Appellate Division, Supreme Court Third Department...	1,353 00	892 73

Hartlot Paper Company. Final judgment upon a new hearing granted by the Appellate Division Supreme Court, Third Department		
3110		11,439 94
4664	Itha J. Becker	7,307 49
4671	Alfred Kimball	328 25
4672	Frank J. Moth	104 00
4673	Joseph Ostrander	322 00
4674	John R. Remlinger	52 80
4676	Arthur B. Rood	190 00
4682	Arthur Terwillinger	40 00
4683	David S. Williams and another	619 00
4684	Eliza J. Worden	111 50
4765	George Brooks and another	30 00
4774	Martin O. Reals	262 00
3766	John Schell	75 00
4139	Charles H. Bromley	200 00
5377	Edward LaPan	80 00
4166	Joseph Cox	100 00
5059	Peter E. Dempsey	50 00
5060	Sarah DeKalb	40 00
3850	The Reliance Marine Insurance Company Limited	60 00
4118	William Webber	4,835 74
5014	Charles T. Peake	634 25
5233	James Finlan	Judgment for State.
4900	Emma Murtaugh	40 00
3897	Frederick Rushinsky as Administrator, etc	2,000 00
3096	Forest G. Weeks	Judgment for State.
5401	William E. Shifferens	681 50
5052	Mary McKenna	Judgment for State.
		125 00

First—CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Continued).

No.	NAME OF CLAIMANT.	Amount claimed.	Amount of judgment.
5095	George E. Meyerhoff.....	\$200 00	\$100 00
4977	Cora R. Reynolds.....	10,000 00	5,000 00
1871	Forest G. Weeks. Final judgment upon new hearing ordered by Appellate Division Supreme Court, Third Department..		
5835	Charles H. Bromley.....	8,550 75	7,655 50
5264	Ansel C. Hungerford.....	150 00	75 00
3769	Daniel Baldwin.....	1,250 00	450 00
3755	Thomas W. Sheedy.....	271 68	Judgment for State.
3760	Byron C. Johnson.....	157 50	150 00
4043	Genevieve Barniker.....	625 00	250 00
4161	Michael Toole.....	273 00	30 00
4162	Patrick Toole.....	182 00	60 00
4171	Annie Checkfield.....	150 00	80 00
4170	Frederick J. Baker.....	1,955 00	150 00
3935	Anna Moore by guardian, etc.....	2,500 00	50 00
4930	James Moore.....	10,000 00	500 00
4051	Peter Snyder.....	420 00	200 00
3893	Eliza Crouse et al as executors, etc.....	1,288 00	940 00
4044	Henry Carhart.....	2,140 00	400 00
4048	Joseph Holley.....	154 00	90 00
4049	Matilda Huntley.....	355 00	175 00
4050	Mark Schepp.....	680 00	300 00
4052	Martha A. Stearns.....	310 00	75 00
4053	George Suiter.....	120 00	48 00
		825 00	300 00



4054	Charles Taskey.....	585 00	175 00
4055	The Fayetteville & Manlius Plank Road Company.....	100 00	70 00
4056	Theodore Walrath.....	570 00	300 00
3924	Elisha G. Gay.....	28,500 00	4,750 00
5791	Nancy S. Armstrong.....	75 00	75 00
4213	William Skinner.....	210 00	75 00
4214	Matilda Sterling.....	405 00	37 50
4215	Mary A. Wands and another.....	2,350 00	100 00
4217	Andrew H. Wilson.....	690 00	250 00
4231	Nancy Cook.....	200 00	20 00
4200	Richard B. McEntire.....	400 00	175 00
4208	Abram Petrie.....	150 00	50 00
3227	John Jagow. Final judgment upon remittance of the Appellate Division, Supreme Court, Third Department, affirming a judgment of Court of Claims in favor of the State. Costs against claimant \$91.10.....	1,152 00	Judgment for State.
4595	George A. Ferris.....	600 00	175 00
4667	John Riley et al.....	300 00	130 00
5076	John Riley.....	540 00	150 00
5241	Elmer Hills.....	370 00	100 00
5336	Sarah DeKalb.....	75 00	40 00
5343	Charlotte S. Wager and another. Individual and as executors, etc.....	698 90	300 00
5844	Catherine O'Brien.....	180 00	125 00
5337	William Herrig.....	25 00	25 00
5338	Henry Kloffer.....	20 00	20 00
5338	Pierre Thibodeau.....	150 00	75 00
3768	Elisha Steadman.....	1,265 00	Judgment for State.
4663	The Town of Manlius.....	6,000 00	Judgment for State.

First—CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Continued).

No.	NAME OF CLAIMANT.	Amount claimed.	Amount of judgment.
3905	Maurice Shannahan. Final judgment upon new hearing ordered by the Appellate Division and costs of appeal in favor of claimant .....		\$561 99
4894	Samuel L. Mott .....	\$350 00	Judgment for State.
3186	Charles Belling .....	3,190 00	Judgment for State.
3187	William Dornfeld .....	832 00	Judgment for State.
3188	Edward Evans .....	1,490 00	Judgment for State.
3189	Lyman G. Fuller .....	385 00	Judgment for State.
3190	Bridget Flory .....	500 00	Judgment for State.
3191	John Giese .....	725 00	Judgment for State.
3192	John Harder .....	196 50	Judgment for State.
3193	George Hohn .....	282 40	Judgment for State.
3194	George C. Herschell and another .....	750 00	Judgment for State.
3195	Bridget Kelly .....	800 00	Judgment for State.
3196	Henry Kruger .....	171 00	Judgment for State.
3197	Mary Kelley .....	336 00	Judgment for State.
3198	Catharina Maldiner .....	384 00	Judgment for State.
3199	Charles Mahnk .....	600 00	Judgment for State.
3200	Martin F. Sahr .....	192 00	Judgment for State.
3201	Caroline Thumann .....	960 00	Judgment for State.
3202	Frederick Giese .....	508 00	Judgment for State.
3203	The Water Front Land Company of North Tonawanda .....	488 00	Judgment for State.
3204	Charles Zeggle .....	1,050 00	Judgment for State.
		1,213 00	Judgment for State.

3213	Charles Belling, Jr.	235 00	Judgment for State.
3214	Michael Belling	367 00	Judgment for State.
3215	Sophia Boldt	372 00	Judgment for State.
3216	August M. Belling	939 00	Judgment for State.
3217	Charles Belling, Jr.	963 00	Judgment for State.
3218	Mary Fisher	450 00	Judgment for State.
3219	Frederick Frieling	88 00	Judgment for State.
3220	Adaline H. Fuller	544 00	Judgment for State.
3221	Frederick W. Grasskoff	2,280 00	Judgment for State.
3222	D. Grieser	1,300 00	Judgment for State.
3223	Henry Griese	210 50	Judgment for State.
3224	Joseph Herman	1,180 00	Judgment for State.
3225	Gottfried Holzhausen	759 00	Judgment for State.
3226	Louisa F. Hazard	180 00	Judgment for State.
3228	Charles Langbehn	155 00	Judgment for State.
3229	John Leberz	1,122 00	Judgment for State.
3230	Jonn Mathies	317 50	Judgment for State.
3221	George Post	337 00	Judgment for State.
3232	August Post	350 00	Judgment for State.
3233	August Praker	2,958 00	Judgment for State.
3234	John Peters	890 00	Judgment for State.
3235	John M. Riesterer	950 00	Judgment for State.
3236	Ferdinand Sahr	510 00	Judgment for State.
3237	Mary Ann Schrier	110 00	Judgment for State.
3238	Christoff Schwinger	4,750 00	Judgment for State.
3239	George Urban	85 00	Judgment for State.
3240	Henry Zicker	194 00	Judgment for State.
3242	Caroline Hacker	194 00	Judgment for State.
3243	Martin Riesterer and another	6,740 00	Judgment for State.

## FIRST—CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Concluded).

No.	NAME OF CLAIMANT.	Amount claimed.	Amount of judgment.
3244	Charles F. Ross.....	\$4,084 00	Judgment for State.
3266	Bernard C. Leorenz.....	450 00	Judgment for State.
3467	James E. Briggs.....	1,650 00	Judgment for State.
5344	Mary K. Pidgeon.....	4,984 88	Judgment for State.
	Total .....	\$246,211 63	\$66,606 93

## Second—Claims Filed on Account of the Nine Millions Canal Improvement.

No.	NAME OF CLAIMANT.	Amount claimed.	Amount of judgment.
1890	Mary Carswell		
3729	Mary Carswell		
3940	Mary Carswell	\$5,825 00	\$900 00
5221	Mary Carswell		
3939	Carrie V. Ransom	650 00	310 00
4602	Delia E. Northrup	1,555 00	700 00
5371	Elizabeth H. Coleman	75 00	85 00
3938	Horace Kingsley	650 00	450 00
5224	Robert W. Fielder	196 00	15 00
4117	John G. Wickser	10,000 00	500 00
3813	William D. Lenhart	2,000 00	300 00
4035	George W. Shaffer	350 00	112 50
3802	Sophia L. Vrooman	619 75	111 00
3986	Robert Meaker	1,000 00	290 00
3987	John C. McIntyre and another	690 00	175 00
3996	John Gregg	1,495 00	310 00
4033	Walter Eggleston	397 20	180 00
4868	Edward L. Betts	500 00	450 00
3922	Lydia A. Earll and another	350 00	300 00
3898	Samuel S. Ruston	2,964 00	650 00
3984	Helen M. Dill et al.	200 00	200 00
4096	George Doheny and another, as administrator, etc.	11,742 86	8,819 11
4802	Syracuse Malting Company	557 94	557 94

SECOND—CLAIMS FILED ON ACCOUNT OF THE NINE MILLIONS CANAL IMPROVEMENT—(Continued).

16

[SENATE

No.	NAME OF CLAIMANT.	Amount claimed.	Amount of judgment.
4029	William B. Dunning.....	\$3,675 30	\$3,675 30
4080	The Boomer & Boschert Press Company.....	464 23	464 23
3932	Empire Contracting Company.....	553 79	553 79
4324	David J. Kyser.....	1,890 00	603 64
5102	Susan J. Deltry.....	25,000 00	Judgment for State.
4798	Susan J. Deltry.....	30,000 00	Judgment for State.
5121	Julia Borgersrud.....	1,320 00	Judgment for State.
5122	Eugene M. Draper.....	715 36	Judgment for State.
4502	Alice Creighton.....	843 00	471 00
4823	Luke Phillips.....	518 00	190 57
4114	Edward S. Kerwin, as administrator, etc.....	1,300 00	410 00
4593	Arthur H. Carleton.....	270 00	100 00
5193	George Hawley.....	132 80	120 00
5385	Franklin Bailey.....	200 00	90 00
4221	Mohawk Valley Cotton Mills.....	5,200 00	1,200 00
4222	Abbie O. D. Williams et al., as executors.....	6,000 00	3,000 00
4340	Jeremiah Crowley } Consolidated.....	1,490 00	500 00
5097	Jeremiah Crowley }		
4515	George D. Slade } Consolidated.....	1,050 00	120 00
4622	George D. Slade }		
4729	Michael Young.....	900 00	80 00
5212	Sheeber Lipe.....	1,820 00	60 00
5223	Philander Cronk and another.....	1,600 00	30 00

Le Grand Rexford, as administrator, etc.....	6,100 00	190 52
The National Contracting Company .....	195.092 08	Judgment for State.
Chauncey Babcock.....	3,000 00	1,050 00
Charles M. Betts, et al.....	3,040 53	2,150 00
Luther P. Graves.....	1,000 00	650 00
L. J. McAdam .....	1,250 00	30 00
H. H. Peacock .....	250 00	25 00
George Lamay .....	300 00	250 00
Franklin Walden } Consolidated .....	1,000 00	150 00
Franklin Walden .....	200 00	135 00
Mary Eldridge .....	300 00	170 00
D. P. Walton .....	1,115 00	660 00
Frank W. Bidwell .....	500 00	400 00
Frank H. King .....	360 00	85 00
Lucy A. Nelson .....	250 00	250 00
Mary C. Cronyne .....	2,160 00	1,100 00
Morgan Van Buren.....	271 62	250 00
Walter Bradley & Co .....	316 41	300 00
Thomas Hunter .....	475 00	145 00
E. C. Bickford.....	28,206 48	Judgment for State.
Charles A. Pulford and another. ....	25,000 00	12,000 00
Susan J. Deltry .....	1,320 00	700 00
Julia Borgersrud.....	715 36	500 00
Eugene M. Draper .....	1,100 00	150 00
D. O. Norton .....	12,900 00	3,200 00
Frank A. Rathbun et al., as committee, etc .....	1,000 00	50 00
George W. Newton .....	350 00	77 00
Daniel Guerin, Jr. ....	300 00	75 00
Hattie Newton .....		

SECOND—CLAIMS FILED ON ACCOUNT OF THE NINE MILLIONS CANAL IMPROVEMENT—(Continued).

No.	NAME OF CLAIMANT.	Amount claimed.	Amount of judgment.
3908	Frederick P. Rowe.....	\$1,490 00	\$ 684 93
3910	Frederick P. Rowe.....	750 00	50 00
3912	Margaret Welch.....	5,640 00	493 60
5254	Charles A. Lux.....	10,233 48	10,263 68
4164	Frank E. Rhodes.....	1,927 50	662 50
6058	Joshua W. Ketchum.....	525 00	325 00
4085	Richard Brennan. Final judgment upon remittitur of the Appellate Division, Supreme Court, Third Department, affirming a judgment of this court in favor of the State....		
4001	Alfred Bort and another.....	6,000 00	Judgment for State.
4877	Alexander W. Abbott.....	687 50	339 80
4878	Margaret Cogan.....	300 00	00 00
4879	Catherine Collins.....	900 00	120 00
4880	Laurence Collins.....	300 00	30 00
4881	Minerva Cool.....	1,000 00	200 00
3896	Henry J. Mohr.....	150 00	50 00
4137	Edward Joy, individual and as trustee, etc.....	600 00	280 00
4859	Frances B. Burr.....	10,500 00	3,025 21
4941	Ella Remington and another.....	550 00	335 00
4869	Jacob Limbeck.....	652 00	400 00
4173	Clifford C. Jones.....	630 00	360 00
4320	Ann Duigan.....	300 00	125 00
		315 00	120 00



	Ezra Bond }	Consolidated.	800 00	Judgment for State.
4331	Ezra Bond	.....		
4332	Ezra Bond	.....		
4333	Ezra Bond	.....		
4334	Ezra Bond	.....		
4335	Ezra Bond	.....	200 00	
5388	C. Julia Rodger	.....	40 00	50 00
5389	C. Julia Rodger and another as administrators, etc.	.....	40 00	40 00
5390	C. Julia Rodger and another as administrators, etc.	.....	40 00	50 00
5391	C. Julia Rodger and another as administrators, etc.	.....	40 00	40 00
5392	Homer Weston	.....	150 00	90 00
4322	Henry Crouse	.....	1,078 80	800 00
5123	A. Eugene Russ	.....	200 00	60 00
5962	George Kellogg and another as executors, etc	.....	400 00	150 00
4902	Jonathan Harnden	.....	200 00	45 00
4903	James W. Robinson	.....	200 00	75 00
4904	Daniel Sullivan	.....	498 00	100 00
4905	James Whalen	.....	199 75	140 00
4906	Leroy Wood	.....	198 00	120 00
4908	George M. Caldwell	.....	612 00	250 00
5275	Sarah A. Smith	.....	137 00	80 00
5274	Antonio De Bottis	.....	198 00	80 00
5273	Mary A. Baldwin	.....	197 37	150 00
5277	Daniel E. Somers	.....	75 00	60 00
5276	William H. Smith	.....	139 00	75 00
4915	Thomas Martin	.....	340 00	200 00
4311	Antonio De Bottis	.....	378 00	250 00
4312	Frank De Bottis	.....	686 40	224 00
4313	Frank W. Jacobs	.....	150 00	120 00
4314	Charles Ransier	.....	228 00	115 00

## SECOND—CLAIMS FILED ON ACCOUNT OF THE NINE MILLIONS CANAL IMPROVEMENT—(Continued.)

No.	NAME OF CLAIMANT.	Amount claimed.	Amount of judgment.
4315	James Saroney.....	\$271 00	\$170 00
4316	James Vanacora.....	676 00	338 00
4202	John McGregor.....	7,500 00	250 00
4360	Orrin W. Brown.....	1,205 00	150 00
4625	William A. Wolford.....	1,350 00	35 00
4239	Losina Ten Ycke.....	3,200 00	40 00
4242	Jefferson Cypher.....	1,450 00	40 00
4264	Peter L. Redick.....	250 00	20 00
4211	Cornelia Russell.....	1,225 00	75 00
4227	Andrew J. Bowman.....	400 00	50 00
4265	James Remington..	330 00	75 00
4348	Samuel Bonker.....	2,450 00	50 00
4229	Sophia Butler.....	550 00	50 00
4228	John H. Butler.....	500 00	40 00
4433	Mrs. Franc Elliott.....	500 00	40 00
4436	Catherine Gorman.....	6,344 50	340 00
4439	John Lane.....	5,875 00	120 00
4442	James Phippen.....	3,000 00	15 00
4444	George H. Ray.....	150 00	40 00
4125	Christina Wade.....	352 50	140 00
4190	David M. Cole.....	800 00	50 00
4354	Mary A. Randall.....	500 00	50 00
4359	John Fear.....	1,200 00	100 00

4234	Mary A. Hosley.....	3,250 00	60 00
4232	Paul Fried.....	1,140 00	100 00
4356	Sarah E. Sears Barnard ..	500 00	40 00
4519	Noble E. Wilcox.....	2,450 00	30 00
4517	Mrs. S. E. Tanner.....	1,650 00	90 00
4508	F. H. Devine.....	1,130 00	50 00
4198	Fred R. Koons.....	90 00	40 00
4235	William H. Moore.....	1,100 00	25 00
4195	Frank Huntley.....	625 00	50 00
4199	Oliver Mabie.....	3,650 00	80 00
4266	John L. Rice.....	500 00	60 00
4510	Royal M. Hoag and another.....	905 00	45 00
4511	Frank Johnson.....	2,500 00	30 00
4516	J. J. Tanner.....	50 00	10 00
4205	Delilia Nutting.....	1,000 00	90 00
4240	Daniel G. Vibbert ..	260 00	130 00
4207	Sarah L. Phillips.....	1,100 00	40 00
4719	John H. Litts and another.....	610 00	120 00
4576	Charles W. Nesbitt.....	2,550 00	100 00
4237	Charles Plopper.....	500 00	75 00
4301	Hull F. Tanner.....	1,400 00	125 00
4437	Joseph Harrington.....	300 00	125 00
4201	Eunice McGregor.....	1,400 00	90 00
4434	L. Delacy Faatz and another } Consolidated..	1,850 00	200 00
5852	L. Delacy Faatz and another }		
4445	Ellen Sheehy et al.....	625 00	80 00
4803	John B. Shaddock.....	2,900 00	10 00
4720	Annie Longmeyer .....	1,750 00	20 00
4649	George Meil and another.....	2,040 00	108 00

## FIRST—CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Continued).

No.	NAME OF CLAIMANT.	Amount claimed.	Amount of judgment.
5230	Price Campbell and another as executors, etc . . . . .	\$125 00	\$15 00
4270	William Wilber . . . . .	2,012 00	54 00
4297	Lewis D. Derby . . . . .	1,200 00	75 00
4298	Moses Gay . . . . .	1,700 00	30 00
4120	Schuyler W. Clarke. . . . .	1,310 00	375 00
4121	Rosell C. Collis. . . . .	4,553 00	1,528 00
4580	C. Zetto Shaver and another. . . . .	350 00	82 00
4124	Elmer L. Peters and another. . . . .	2,100 00	135 00
4185	N. D. Allen . . . . .	865 00	130 00
4188	Isaac Boothroyal } Consolidated. . . . .	2,216 00	160 00
6040	Isaac Boothroyal }	1,875 00	350 00
4189	Archibald Case. . . . .	795 00	110 00
4194	William H. Huntley } Consolidated. . . . .	2,900 00	240 00
5855	William H. Huntley }	2,000 00	70 00
4196	John A. Hopkins and another. . . . .	4,160 00	150 00
4203	Mrs. Laurence Moore. . . . .	1,150 00	115 00
4206	E. F. Overacre . . . . .	300 00	75 00
4209	John Quinn . . . . .	400 00	30 00
4225	Harvey Abrams . . . . .	1,260 00	350 00
4226	John Bateman . . . . .	2,590 00	62 00
4230	Thomas Connors. . . . .		
4233	Ellen Hennessey } Consolidated . . . . .		
6048	Ellen Hennessey }		

			Judgment for State.
4238	Mariah Taylor	640 00	110 00
4717	Esmerelda Jones and another	640 00	240 00
4241	Charles M. Cole	3,221 00	54 00
5851	Charles M. Cole	2,675 00	75 00
4252	William Bateman	1,450 00	70 00
5847	William Bateman	1,450 00	80 00
4253	Edwin A. Bond	1,362 50	210 00
4254	John D. Bradt	1,057 00	25 00
6041	John D. Bradt	570 00	59 00
4255	Lawrence C. Bronner	6,552 50	60 00
4256	George G. Carr	745 00	30 00
4259	Kate Corrigan	2,364 00	100 00
6043	Kate Corrigan	1,800 00	110 00
4260	Volney Croft	100 00	Judgment for State.
6044	Volney Croft	3,500 00	580 00
4261	Sarah Knight	1,100 00	114 00
4262	Catharine Maloy	4,855 00	110 00
5858	Catharine Maloy		
4267	Charles E. Robillard		
5864	Charles E. Robillard		
4268	Ellen S. Tracy		
5868	Ellen S. Tracy		
4624	Nancy Wilber		
4271	Sarah A. Yates		
4296	Patrick Casey		
6042	Patrick Casey		
4300	Enoch C. Nicholson		
5861	Enoch C. Nicholson		

SECOND—CLAIMS FILED ON ACCOUNT OF THE NINE MILLIONS CANAL IMPROVEMENT—(Continued).

No.	NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
4304	Almina Zimmer		
6054	Almina Zimmer } Consolidated	\$3,770 00	\$178 00
6055	Charles H. Zimmer		
4357	Betsey Toms } Consolidated	2,025 00	110 00
5867	Betsey Toms		
4441	Mrs. Dolly E. Phippen } Consolidated	1,510 00	70 00
5863	Mrs. Dolly E. Phippen		
4443	Manuel Kance	2,550 00	160 00
4446	Charles F. Snyder	700 00	55 00
4448	Edward Van Dusen et al.	4,180 00	185 00
4449	Sarah E. Wright	700 00	130 00
4450	Mary A. Zuler	950 00	Judgment for State.
4626	Mary A. Zuler } Consolidated	2,804 50	80 00
6056	Mary A. Zuler		
4505	John A. Collier	750 00	20 00
4506	Nicholas Cramer	630 00	91 00
4507	Mary W. Drake } Consolidated	3,500 00	146 00
6045	Mary W. Drake		
4509	Herman B. Hamill } Consolidated	3,160 00	103 00
5853	Herman B. Hamill		
4518	Emma E. Wallace	465 00	100 00
4541	Daniel J. Court	385 00	145 00
4542	Robert Devine and another	2,845 00	135 00

4543	William White .....	675 00	29 00
4569	Sarah Graham .....	350 00	25 00
4644	James Cadd .....	1,420 00	100 00
4712	Melissa J. Crossman .....	500 00	75 00
5229	Arvilla Campbell et al. ....	200 00	Judgment for State.
4302	O. B. Tanner } Consolidated. ....	2,600 00	260 00
5802	O. B. Tanner }		
5154	Charles W. Grannis and another .....	150,821 26	Judgment for State.
5155	Henry C. Allen and another .....	101,368 84	Judgment for State.
5305	Emma Griffin .....	900 00	300 00
3795	Timothy Mullin .....	3,000 00	1,108 75
4451	Miner Maltby and another .....	11,900 00	2,700 00
4342	Casper Hennebohl .....	850 00	100 00
4882	Patrick Hickey .....	295 20	164 00
4883	Abraham Munson .....	800 00	64 00
4884	Charity Rogers .....	150 00	50 00
4303	Dorcas Walling .....	150 00	75 00
Total .....		\$918,760 31	\$90,453 07

### Third—Claims other than Canal Claims Filed under Special Acts of the Legislature.

No.	NAME OF CLAIMANT.	Amount claimed,	Amount of judgment.
5261	Alfred W. Street . . . . .	\$600 00	\$600 00
4853	John C. Granger. . . . .	20,359 20	700 00
4854	Clarence E. Race. . . . .	20,359 20	700 00
4964	James H. Hawkins. . . . .	5,600 00	400 00
5033	Frederick Hahn . . . . .	10,000 00	400 00
5117	Robert Strong. . . . .	10,000 00	500 00
5267	Anna Smith. . . . .	10,000 00	Judgment for State.
3164	Lewis A. Mason. . . . .	3,000 00	250 00
5171	Lelia E. Marsh. . . . .	3,854 33	3,854 33
4820	John Culleton. . . . .	25,000 00	Judgment for State.
3885	The F. H. Mills Company. . . . .	137,247 62	Judgment for State.
5072	Susan Slattery. . . . .	20,000 00	2,000 00
5180	Ella Van Wyck by Guardian, etc. . . . .	10,000 00	500 00
5181	James Van Wyck. . . . .	2,000 00	100 00
3631	James Harris. . . . .	6,055 63	Judgment for State.
4459	Waldorf Forest Company. . . . .	27,325 50	8,325 50
4943	Benjamin E. Hall. . . . .	34,000 00	2,441 26
5022	Wesley Barr. . . . .	515 84	515 84
5023	Francis E. Merritt. . . . .	515 84	515 84
5024	Samuel H. Palmer. . . . .	689 78	689 78
5025	James W. Van Slyke. . . . .	515 84	515 84



4453	Addison L. Upham. Final judgment upon remittitur of the Appellate Division, Supreme Court, Third Department, affirming a judgment in favor of the State. Judgment of costs against claimant \$87.80 .....	2,737 99	Judgment for State.
3645	Thomas Killam. Final judgment upon remittitur of the Appellate Division, Supreme Court, Third Department, affirming a judgment of this Court in favor of the State. Judgment of costs against claimant \$95.15 .....	2,925 29	Judgment for State.
4839	The County of Ulster.....	42,890 10	Judgment for State.
4601	Abiel B. Parks.....	1,650 00	Judgment for State.
5258	William Weibrick.....	30,000 00	Judgment for State.
	Total.....	\$427,842 16	\$23,008 39

# Fourth—Claims other than Canal Claims and not Filed under Special Acts.

No.	NAME OF CLAIMANT.	Amount claimed.	Amount of judgment.
4961	Verplanck Colvin } Consolidated .....	\$11,597 22	\$7,113 19
5256	Verplanck Colvin }		
5255	Mills Blake .....	1,333 33	1,317 33
1176	Alfred Montant .....	9,240 00	Judgment for State.
1177	William A. Topping .....	450 75	Judgment for State.
1178	John C. Wilmerding .....	6,538 56	Judgment for State.
1179	James Williams .....	7,327 55	Judgment for State.
1180	Eugene Bissell .....	1,082 07	Judgment for State.
5259	Benton Turner .....	128,656 25	49,486 80
5177	William M. Fless .....	2,401 57	Judgment for State.
5368	Aaron Haring .....	25,000 00	Judgment for State.
5287	The Boylan Manufacturing Company .....	25,000 00	Judgment for State.
5395	James Fee .....	431 40	431 40
3884	Henry W. Cane et al. Final judgment upon new hearing before this Court ordered by the Appellate Division, Supreme Court, Third Department .....		
5827	William Fizzell, as administrator, etc. ....	80,086 75	17,176 25
5416	Frank D. Ewing .....	25,000 00	Judgment for State.
6038	William B. Graves .....	1,050 00	Judgment for State.
3291	Evelyn Spalding et al. ....	244 00	244 00
3809	Julietta Leak Perkins et al. ....	86,608 35	Judgment for State.
		86,608 35	Judgment for State.

5436	Patrick Cashin . . . . .	633 33	Judgment for State.
5831	Samuel A. Hathaway, as administrator, etc . . . . .	25,000 00	Judgment for State.
5832	Albert G. Jones, as administrator, etc . . . . .	25,000 00	Judgment for State.
.	Total . . . . .	\$549,289 48	\$75,768 97

### RECAPITULATION.

	Amount claimed.	Judgment.
First class. General canal claims.	\$246,101 63	\$66,606 93
Second class. Nine millions improve- ment .....	918,760 31	90,453 07
Third class. General claims under special acts .....	427,842 16	23,008 39
Fourth class. General claims not under special acts..	549,289 48	75,768 97
Totals .....	<u>\$2,141,983 58</u>	<u>\$255,837 36</u>

### DECIDED IN 1901.

Five hundred and six claims have been heard and decided during the year.

The aggregate amount claimed in such claims is \$2,141,983.58, exclusive of interest.

The aggregate amount of judgments in such claims is \$255,837.36.

### FILED IN 1901.

During the present year 817 claims have been filed.

The amount claimed in such 817 claims, is \$2,023,039.23, exclusive of interest.

### CLAIMS ON FILE.

The whole number of claims now on file and not decided is 1,574.

The aggregate amount claimed in such claims, exclusive of interest is \$4,411,533.09.

**NINE MILLIONS CANAL IMPROVEMENT CLAIMS.**

These claims were first filed in the year 1899, and the following statement covers the years 1899, 1900 and 1901.

Whole number of claims filed, 998.

Aggregate amount claimed, \$2,541,462.91, exclusive of interest.

Number of such claims heard and decided, 637.

Total amount claimed in the claims decided, \$1,480,095.27, exclusive of interest.

Aggregate of judgments rendered, \$174,528.18.

Claims pending, 361.

Aggregate amount claimed in claims pending, \$1,061,367.64, exclusive of interest.

All of which is respectfully submitted.

CHARLES T. SAXTON,

JOHN M. KELLOGG.

*Judges of the Court of Claims.*

Dated ALBANY, N. Y., *December 31, 1901*



SIXTH ANNUAL REPORT

OF THE

COURT OF CLAIMS

OF THE

STATE OF NEW YORK.

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TRANSMITTED TO THE LEGISLATURE JANUARY 21, 1908.

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ALBANY:  
THE ARGUS COMPANY, PRINTERS  
1908

JUN 23 1916



# STATE OF NEW YORK.

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No. 20.

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## IN SENATE,

JANUARY 21, 1903.

### Sixth Annual Report of the Court of Claims of the State of New York.

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STATE OF NEW YORK:

COURT OF CLAIMS — CLERK'S OFFICE,

ALBANY, *January 20, 1903.*

HON. FRANK W. HIGGINS, *President of the Senate:*

DEAR SIR.— Herewith I have the honor to transmit to you, for the Legislature of the State of New York, the Sixth Annual Report of the Court of Claims of the State of New York, as required by law.

Very respectfully yours,

CHARLES E. PALMER,

*Clerk.*



# REPORT.

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*To the Legislature of the State of New York:*

The statute requires that the Court of Claims "at the commencement of each session of the Legislature and at such other times during the session as it may deem proper, or as the Senate or Assembly may request" to report "to the Legislature the claims upon which it has finally acted, with a statement of the judgment in each case."

The court, in accordance with the requirements of the statute, submits its sixth annual report.

For the purposes of this report the claims heard and decided during the year 1902 are divided into four classes, as follows:

*First — General canal claims.*

This class embraces all claims under section 37, chapter 338, of the Laws of 1894, known as the General Canal Law, excepting the so-called canal improvement claims in the second class.

*Second — Claims filed on account of the \$9,000,000 canal improvement.*

The liability of the State in these claims is fixed by the General Canal Law, but the claims arose during the progress and on account of the canal improvement work.

*Third — Claims other than canal claims filed under special acts of the Legislature.*

The claims in this class are known as general claims, and arose in other ways than on account of the canals. They were sent to this court under special acts of the Legislature.

*Fourth — General claims not under special acts.*

These claims do not arise on account of the canals and are not filed under special acts.

*First — Canal Claims Filed Under the General Act.*

No.	Name of claimant.	Amount claimed.	Amount of judgment.
5963	Ella Statter, as administra- trix, etc. . . . .	\$15,000 00	\$2,500 00
5940	Charles D. Thomas, as admin- istrator, etc. . . . .	20,180 00	Judg't for St.
5167	Charles D. Thomas . . . . .	24,238 00	1,101 50
6030	John L. Smith . . . . .	200 00	43 00
6059	Antoinette Linendoll . . . . .	300 00	75 00
5991	Robert W. Fielder . . . . .	30 00	12 00
5992	Rachel Fort and another....	20 00	15 00
5993	Leonard Gove . . . . .	60 00	20 00
5994	John H. Ives . . . . .	60 00	25 00
5995	Charles Lasher . . . . .	40 00	30 00
5996	James C. Pearse . . . . .	80 00	37 00
5997	Tunis C. Pearse . . . . .	90 00	45 00
5998	Alexander W. Shepard . . . . .	80 00	25 00
5999	William H. Smith . . . . .	50 00	15 00
4528	Cornelius Burns . . . . .	392 00	315 52
4694	Eliza Gay . . . . .	1,830 00	1,116 47
5341	Lavina J. Buisson . . . . .	6,460 00	650 00

No.	Name of claimant.	Amount claimed.	Amount of judgment.
5286	John Finouer . . . . .	\$150 00	\$36 00
5290	Milford Van Slyke . . . . .	200 00	57 00
5291	Stephen Simmons . . . . .	120 00	35 00
5300	Marshall E. Davidson . . . . .	80 00	26 00
5396	Adolph Palinovske and an- other . . . . .	200 00	65 00
6016	John P. Angus . . . . .	200 00	60 00
6017	Daniel N. Place and another,	150 00	72 00
4968	Anna F. Begent and another, as administrators . . . . .	5,500 00	Judg't for St.
4330	Lewis P. Smith, as trustee, etc. . . . .	3,951 90	2,217 60
4654	S. S. McGowan and another, as executors, etc. . . . .	2,500 00	75 00
4892	Daniel G. Snyder . . . . .	2,000 00	125 00
4967	Anna F. Begent and another,	2,000 00	60 00
5222	Lillie J. Butler . . . . .	200 00	70 00
5378	George Mehl . . . . .	120 00	108 00
5379	Lyman E. Richardson . . . . .	569 00	400 00
5394	Benjamin F. Richardson . . . . .	431 25	300 00
5412	Charles Stevens . . . . .	694 00	370 00
5872	Sherwood Bridenbecker . . . . .	75 00	70 00
5917	The Oneida County Savings Bank . . . . .	551 00	325 00
5981	Daniel O'Connell . . . . .	1,092 80	500 00
6000	Sanford Laquay . . . . .	436 00	320 00
6065	W. Frank Sweet and another,	505 70	205 00
6068	Cordelia C. Gifford . . . . .	947 00	550 00
6069	Eliza A. Carr . . . . .	387 50	225 00

No.	Name of claimant.	Amount claimed.	Amount of judgment.
6070	Ellen Scanlon . . . . .	\$492 00	\$200 00
6071	Nicholas Cannon . . . . .	263 00	125 00
6072	Arthur Phillips . . . . .	712 00	375 00
6073	Daniel Wingert . . . . .	490 50	275 00
6102	J. Peter Noffer . . . . .	400 00	200 00
6129	Hugh Williams . . . . .	1,750 00	80 00
6193	Sarah Lewis . . . . .	200 00	25 00
6194	John Hertel . . . . .	222 80	140 00
6247	Frederick P. Selfert . . . . .	364 92	250 00
5339	Ada Johns . . . . .	500 00	100 00
5383	Charles Bargo . . . . .	700 00	125 00
5920	Joseph C. Farmer . . . . .	8,040 00	3,350 00
5847	Walter Cooney . . . . .	5,000 00	Judg't for St.
3909	James C. Rogers . . . . .	1,200 00	1,030 68
4246	Jerry Crowley . . . . .	713 10	713 10
4598	George Hudson . . . . .	440 00	260 00
4599	M. Cecelia Newland . . . . .	415 00	270 00
5960	Sarah F. Conye . . . . .	175 00	50 00
6137	Michael McCormick . . . . .	400 00	60 00
6085	Sanford E. Cobb . . . . .	6,647 20	Judg't for St.
3455	Alonzo Denton and another. Final judgment upon the order of the Appellate Di- vision, Supreme Court, Third Department, affirm- ing the judgment of this court, dismissing the claim, dated December 19, 1900, and \$113.43 costs on ap- peal against claimant . . . . .	15,000 00	Judg't for St.

No.	Name of claimant.	Amount claimed.	Amount of judgment.
8708	William Syphert and another. Final judgment upon the order of the Appellate Di- vision, Supreme Court, Third Department, affirm- ing the judgment of this court, dismissing the claim, dated December 19, 1900..	\$5,000 00	Judg't for St.
3709	Woodhull Lumber Company. Final judgment upon the order of the Appellate Di- vision, Supreme Court, Third Department, affirm- ing the judgment of this court, dismissing the claim, dated December 19, 1900..	23,000 00	Judg't for St.
3710	Forestport Lumber Company. Final judgment upon the order of the Appellate Di- vision, Supreme Court, Third Department, affirm- ing the judgment of this court, dismissing the claim, dated December 19, 1900..	27,000 00	Judg't for St.
3707	James Gallagher, Jr. Final judgment upon the order of the Appellate Division, Supreme Court, Third De- partment, affirming the		

No.	Name of claimant.	Amount claimed.	Amount of judgment.
	judgment of this court, dis- missing the claim, dated December 19, 1900 .....	\$4,500 00	Judg't for St.
4466	Thomas J. Moran.....	5,000 00	Judg't for St.*
4493	De Witt C. Fargo and an- other . . . . .	160 00	\$106 20
4605	Lemuel W. Burton.....	505 46	505 46
4686	George H. Newton and an- other . . . . .	480 00	357 70
4695	John H. Davidson.....	567 50	281 49
4530	Winifred T. McKee, as ad- ministratrix, etc . . . . .	3,268 00	1,557 60
4703	Thomas E. Flannigan.....	1,419 00	1,158 71
4495	Albert E. Perkins and an- other . . . . .	816 00	577 72
4490	Charles Bosworth . . . . .	722 00	300 12
4497	Edward Post . . . . .	370 50	246 35
4843	Michael Heid . . . . .	500 00	145 62
4844	Edward Lynch . . . . .	350 00	14 56
4842	William Doyle . . . . .	500 00	29 12
2337	The New York Central and Hudson River Railroad Company . . . . .	113,927 35	113,927 35
4100	Luigi Furgoli . . . . .	935 00	325 00
4236	Anna Peck . . . . .	1,300 00	50 00
4310	George Scott . . . . .	3,000 00	Judg't for St.
4402	David Frier . . . . .	962 00	225 00
4454	Stephen Reals . . . . .	952 40	335 00
4455	Wallace S. Sherwood.....	444 50	180 00



No.	Name of claimant.	Amount claimed.	Amount of judgment.
4491	George Case . . . . .	\$72 00	\$65 00
4531	William L. Wilson . . . . .	225 00	175 00
4586	John H. Shell . . . . .	170 00	112 00
4589	Parry A. Ames . . . . .	350 00	200 00
4603	Charles F. Barlow . . . . .	500 00	200 00
4665	Charles L. Collins and an- other . . . . .	987 50	610 00
4666	Fred Dutcher . . . . .	390 00	126 00
4667	Ezriai Ecker . . . . .	285 00	120 00
4668	Louis F. Fisher . . . . .	1,457 50	935 00
4667	Elson Phelps . . . . .	900 00	80 00
4679	Chauncey Soule . . . . .	1,407 00	125 00
4701	Frances M. McCardell . . . . .	344 00	200 00
4706	Mary A. Whalen . . . . .	1,740 00	400 00
4723	William R. Townsend and others . . . . .	1,655 00	81 00
4726	George West . . . . .	630 00	45 00
4727	William S. Wood . . . . .	630 00	80 00
4728	Wesley Yerton . . . . .	640 00	18 00
4741	Allie M. Billington . . . . .	1,176 00	704 50
4747	Elizabeth Ames . . . . .	75 00	60 00
4766	Miriam Collins and another . .	463 00	247 50
4776	Anthony Seagfried . . . . .	525 00	188 00
4777	Egbert Winans . . . . .	300 00	160 00
4778	William Winans and another,	380 00	220 00
4801	Arthur McArthur . . . . .	7,350 00	190 00
4815	William H. House . . . . .	250 00	50 00
4851	George Joa . . . . .	75 00	50 00
5183	Sarah Spencer . . . . .	120 00	75 00

No.	Name of claimant.	Amount claimed.	Amount of judgment.
6064	Sarah E. Robinson and others . . . . .	\$1,733 80	\$275 00
6084	Isaac N. Staring . . . . .	975 00	160 00
6112	Mary Quick Charles . . . . .	630 00	Judg't for St.
6113	Carrie Parks . . . . .	1,155 00	Judg't for St.
6297	Margaret Butler . . . . .	199 50	Judg't for St.
6298	Margaret Fitzpatrick . . . . .	199 00	Judg't for St.
6299	James Arnold . . . . .	190 00	Judg't for St.
6301	Ella Van Vleet . . . . .	455 00	Judg't for St.
6302	Parmelia Scott . . . . .	475 00	Judg't for St.
6303	Sarah Potter . . . . .	471 00	Judg't for St.
6305	Amelia Jane Blaine . . . . .	195 00	Judg't for St.
6310	George D. Brown . . . . .	820 00	Judg't for St.
6315	Mary M. Clark . . . . .	198 00	Judg't for St.
6322	Charles W. Darrow . . . . .	350 00	Judg't for St.
6324	Harry Wilkinson . . . . .	400 00	Judg't for St.
6331	Herbert Agard . . . . .	190 00	Judg't for St.
6333	Mary O'Dea . . . . .	496 00	Judg't for St.
6336	Mary Quick Charles . . . . .	79 00	Judg't for St.
6337	Elbert H. Sayles . . . . .	85 00	Judg't for St.
6350	Mary Quick Charles . . . . .	144 00	Judg't for St.
6357	William Martin . . . . .	912 00	Judg't for St.
6359	George Bailey . . . . .	200 00	Judg't for St.
3900	John Moore . . . . .	1,400 50	Judg't for St.
5011	Rose Agan . . . . .	200 00	200 00
5053	Julian W. Gear . . . . .	438 00	100 00
4970	Timothy Madigan . . . . .	1,200 00	100 00
6130	Ester Sleight . . . . .	5,000 00	1,300 00
4957	Perry A. Smith . . . . .	500 00	300 00

No.	Name of claimant.	Amount claimed.	Amount of judgment.
4976	John H. Crary . . . . .	\$1,000 00	\$350 00
3735	Almeron W. Randall . . . . .	305 00	275 00
4016	A. Emerson Babcock . . . . .	1,200 00	250 00
4821	Christian Musfeldt . . . . .	200 00	80 00
4822	Christian Musfeldt . . . . .	200 00	130 00
4865	Martin Goodberlet . . . . .	625 00	Judg't for St.
4895	Phebe A. Sprague . . . . .	10,250 00	100 00
5096	Miles Phillips . . . . .	195 00	64 00
5124	James Cotter . . . . .	350 00	140 00
5134	Elizabeth C. Springer, as ex- ecutrix, etc. . . . .	150 00	75 00
5165	George Bantel . . . . .	600 00	400 00
5173	Peter H. Steele . . . . .	1,700 00	550 00
5232	Cornelius Place . . . . .	15 00	10 00
5243	John C. Moss . . . . .	72 25	58 00
5257	Orrin W. Todd and another..	190 00	150 00
5369	James Launan and another..	395 00	40 00
5387	George H. Bussey . . . . .	575 00	300 00
5406	Village of Middleport . . . . .	485 65	350 00
5841	George Hanf and another...	300 00	100 00
5856	John Long . . . . .	300 00	40 00
6012	Samuel Baker . . . . .	288 40	220 00
6013	Helen M. Vail.....	873 62	600 00
6109	Mary A. Hopkins, as admin- istratrix . . . . .	800 00	300 00
6106	Sylvester W. Young.....	350 00	250 00
6105	Sylvester W. Young.....	197 00	130 00
4942	Sylvester W. Young.....	350 00	250 00

No.	Name of claimant.	Amount claimed.	Amount of judgment.
3769	Daniel Baldwin. Final judgment upon remittitur of Appellate Division, Supreme Court, Third Department, affirming the judgment of this court, dated October 9, 1901, dismissing the claim. Judgment for \$78.50 costs on appeal against claimant . . . . .	\$271 68	Judg't for St.
6197	Richard O. Bassett . . . . .	1,000 00	\$175 00
3287	George R. Holmes . . . . .	240 00	80 00
6037	Pehre Johnson, as administrator, etc . . . . .	5,041 00	1,250 00
1566	Charles Keller, Jr. . . . .	4,650 00	2,690 66
5460	Mortimer M. Culhane . . . . .	5,000 00	Judg't for St.
6098	Bridget Gallagher. Final judgment upon remittitur of the Appellate Division, Supreme Court, Third Department, affirming the judgment of this court, dated April 15, 1902, dismissing the claim. Judgment for \$68.50 costs of appeal against claimant . . . . .	5,000 00	Judg't for St.
3580	Lakeside Paper Company . . . . .	2,400 00	3,041 39
3581	Skaneateles Paper Company, . . . . .	3,700 00	3,982 77
3582	Forest G. Weeks . . . . .	4,200 00	5,213 80

No.	Name of claimant.	Amount claimed.	Amount of judgment.
4087	Lakeside Paper Company....	\$2,900 00	\$1,935 57
4088	Skaneateles Paper Company,	3,685 00	2,459 32
4089	Forest G. Weeks.....	5,075 00	3,387 26
3108	George Barrow . . . . .	3,800 00	4,000 00
3111	Richard M. Stacey.....	5,925 00	1,500 00
3597	Simon D. Paddack.....	1,275 00	600 00
3598	The Central New York Elec- tric Light and Power Com- pany . . . . .	19,000 00	7,995 46
3599	The Glenside Woolen Mills..	15,000 00	14,000 00
4057	The Glenside Woolen Mills..	20,271 43	11,000 00
3112	The Central New York Elec- tric Light and Power Com- pany . . . . .	35,873 63	15,000 00
6550	Charles A. Cramer.....	315 00	Judg't for St.
6554	Walter P. Blaisdell.....	369 00	Judg't for St.
6617	Fred W. Sutliff.....	400 00	Judg't for St.
4027	Wayland A. Potter and an- other, as executors, etc....	1,945 00	600 00
4038	Thomas H. Cary.....	2,374 00	1,187 00
5090	Alexander Bristol . . . . .	200 00	70 00
5092	John B. Lauder . . . . .	250 00	50 00
5139	Jacob Van Derwart.....	200 00	60 00
5413	Lyman E. Montgomery.....	750 00	125 00
6326	Christopher Ohm . . . . .	420 00	250 00
6522	John W. Harris . . . . .	700 00	190 00
6456	Frank Hurlburt . . . . .	1,730 00	480 00
6566	W. Albert Bielby.....	500 00	300 00
6567	John W. Harris.....	200 00	150 00

No.	Name of claimant.	Amount claimed.	Amount of judgment.
6618	Pierre Thibodeau . . . . .	\$185 00	\$100 00
5380	Nicholas W. Wandell . . . . .	1,500 00	1,000 00
5228	A. Horace Platt . . . . .	25,000 00	1,000 00
5478	Anna Malone . . . . .	10,000 00	628 85
6295	William Love . . . . .	2,186 00	Judg't for St.
6296	Charles Love, by guardian, etc. . . . .	5,000 00	Judg't for St.
5454	James P. Doyle, as adminis- trator, etc. . . . .	10,000 00	Judg't for St.
6325	Mary Harrigan . . . . .	5,000 00	\$1,250 00
6032	Peter D. O'Leary . . . . .	1,600 00	Judg't for St.
Totals . . . . .		\$603,222 84	\$239,898 05

*Second — Claims Filed on Account of the Nine Millions Canal Improvement.*

No.	Name of claimant.	Amount claimed.	Amount of judgment.
4086	Henry Dechert. Final judg- ment upon the order of the Appellate Division, Su- preme Court, Third Depart- ment, affirming the judg- ment of this court in favor of the State, dated August 15, 1900 . . . . .	\$4,000 00	Judg't for St.
4136	Ann Carpenter and another . .	10,000 00	2,608 00
4153	The Donnelly Contracting Company . . . . .	21,399 02	9,431 67
4917	Same Venditto . . . . .	650 00	200 00

No.	Name of claimant.	Amount claimed.	Amount of judgment.
4916	Lewis McCloud . . . . .	\$450 00	\$192 00
4529	Horace H. Dibble . . . . .	4,791 00	1,734 20
4036	Daniel Carey . . . . .	2,031 00	1,049 00
4037	Rhody Carey . . . . .	702 50	305 00
4039	Betsey Case and another, as administrator, etc. . . . .	2,048 00	400 00
4041	William D. O'Brien and others . . . . .	1,049 00	300 00
6325	Mary Harrigan . . . . .	5,000 00	1,250 00
4042	Anne Taylor and another....	1,397 00	739 13
4306	Daniel Sherman . . . . .	2,754 00	1,274 00
5351	Betsey Case et al. ....	377 00	377 00
5352	William D. O'Brien and an- other . . . . .	200 00	130 00
4534	Daniel S. Griffin . . . . .	300 00	100 00
5047	William A. Evarts . . . . .	75 00	85 00
5067	Horace H. Dibble . . . . .	600 00	300 00
4831	Robert Takel, as administra- tor, etc. . . . .	286 00	92 00
3727	Isaac J. Evans and Harvey S. Bedell. Final judgment upon remittitur of the Court of Appeals affirming the judgment of this court, dated April 19, 1899.....	7,500 00	1,098 00
3843	Peter Williams . . . . .	450 00	185 79
3844	Eugene L. Hinckley.....	1,500 00	464 52
4061	Henry Steele . . . . .	2,000 00	125 00
4062	Abram B. Young.....	653 60	150 00

No.	Name of claimant.	Amount claimed.	Amount of judgment.
4275	Evan Evans . . . . .	\$1,352 00	\$500 00
4276	Thomas Kirley . . . . .	7,969 00	500 00
4566	Francis Berical . . . . .	180 00	60 00
4568	Henry Fike . . . . .	225 00	30 00
4643	Sherwood Birdenbecker . . . . .	200 00	25 00
4660	Samuel V. Murphy and an- other . . . . .	1,500 00	60 00
4722	Jacob T. Stroup . . . . .	500 00	25 00
4802	Conrad Seybold . . . . .	500 00	30 00
4825	George F. Burns . . . . .	200 00	110 00
4826	John Lawler . . . . .	400 00	110 00
4827	Elizabeth Oatley . . . . .	400 00	140 00
4828	William Roberts . . . . .	200 00	110 00
4888	Clarence W. Balis . . . . .	1,000 00	380 00
4889	Elizabeth Baer . . . . .	3,300 00	110 00
4890	Jennie A. Barnes . . . . .	500 00	Judg't for St.
4893	George E. Dunham and others . . . . .	1,500 00	124 00
4974	George H. Abbe and another,	1,065 00	425 00
4980	Frances C. Barber and an- other . . . . .	1,066 00	400 00
5079	Thomas Jurden . . . . .	200 00	150 00
5226	Matthew H. Sterling . . . . .	1,920 00	40 00
5272	Henry W. Millar . . . . .	1,000 00	100 00
5359	James J. Dwyer . . . . .	792 00	400 00
5365	Charles I. Williams, as re- ceiver, etc . . . . .	11,000 00	2,152 00
5795	Edward Burke . . . . .	750 00	150 00



No.	Name of claimant.	Amount claimed.	Amount of judgment.
5875	John R. Edwards, as admin- istrator, etc. . . . .	\$100 00	\$100 00
5964	John R. Edwards, as admin istrator, etc. . . . .	800 00	325 00
6015	Hannibal Gray . . . . .	400 00	250 00
5064	E. Brown Baker and another,	57,803 73	16,014 75
4537	Mary A. Parker } . . . . .con.	2,025 00	750 38
5309	Mary A. Parker }		
4132	The Grand Trunk Railway Company of Canada. . . . .	31,529 00	1,170 67
4624	Nancy Wilbur . . . . .	100 00	Judg't for St.
4680	Elisha Steadman . . . . .	1,200 00	100 00
4494	Henry T. King and another..	1,797 00	946 52
4492	Ella De Witt. . . . .	160 00	118 26
4496	George R. Perkins . . . . .	285 00	118 26
5475	Elisha Steadman . . . . .	1,700 00	915 42
4770	William Griffin . . . . .	869 29	186 03
4772	Daphne E. Pratt . . . . .	280 00	70 20
5130	Buffalo Dredging Company..	113,777 45	67,727 19
4543	William White }		
6435	William White } . . . . .con.	694 00	29 00
4196	Jno. A. Hopkins & ano. }		
6434	Jno. A. Hopkins & ano. } . .con.	3,130 00	240 00
4448	Ed. Van Dusen & ors. }		
6436	Edward Van Dusen } . .con.	4,355 00	185 00
4506	Nicholas Craner }		
6431	Nicholas Craner } . . . . .con.	721 00	91 00
4255	Lawrence C. Bronner }		
6430	Lawrence C. Bronner } . .con.	1,432 50	80 00

No.	Name of claimant.	Amount claimed.	Amount of judgment.
4185	N. D. Allen }		
6432	N. D. Allen }.....con.	\$995 00	\$130 00
4446	Charles F. Snyder }		
6433	Charles F. Snyder }.....con.	1,300 00	55 00
4203	Mrs. Lawrence Moore }		
6232	Mrs. Lawrence Moore }..con.	3,100 00	70 00
4225	Harvey Abrams }		
6231	Harvey Abrams }.....con.	600 00	75 00
3946	John W. Barnett . . . . .	817 00	292 00
4135	Albert H. Eno and another..	1,250 00	250 00
4152	James Higgs . . . . .	1,600 00	200 00
4163	Vincent Mariconti . . . . .	1,500 00	664 82
4177	Frank Coscio . . . . .	300 00	178 99
4192	James Flaherty . . . . .	100 00	40 00
4197	W. H. Kendall and another..	300 00	50 00
4210	Mary Quigley . . . . .	300 00	50 00
4243	David M. Olmstead and an- other . . . . .	1,675 00	75 00
4258	Sarah A. Clifton }		
5850	Sarah A. Clifton }.....con.	1,080 00	150 00
4263	Grant R. Meigs }		
5859	Grant R. Meigs }.....con.	950 00	125 00
4269	Rachel A. Whipple . . . . .	900 00	150 00
4299	Paul T. Graham . . . . .	575 00	25 00
4309	George Scott . . . . .	800 00	225 00
4341	George French and others...	933 04	100 00
4398	William Boyce . . . . .	125 00	70 00
4400	Thomas A. Cavenor . . . . .	303 75	160 00
4401	Patrick Cummings . . . . .	125 00	85 00

No.	Name of claimant.	Amount claimed.	Amount of judgment.
4403	Helen M. Hoag, as Executrix, etc. ....	\$494 00	\$172 00
4404	James Lankton . . . . .	260 00	90 00
4406	Priscilla Markel . . . . .	100 00	75 00
4410	John C. Monroe . . . . .	591 25	210 00
4411	Phillips Paddock and others,	636 25	330 00
4412	Esther J. Reed . . . . .	168 75	110 00
4413	William Skutt . . . . .	182 50	80 00
4414	Reuben Steve . . . . .	156 20	80 00
4440	Grant R. Meigs, as exr. }	760 00	100 00
5860	Grant R. Meigs, as exr. } . . . con.		
4456	Theresa K. Etheridge . . . . .	2,564 99	1,000 00
4488	Sophia H. Dodge . . . . .	535 00	300 00
4525	Maria Bennett . . . . .	1,200 00	240 00
4587	Nancy Hoag and others. ....	200 00	80 00
4588	Walter Stein and another. . .	700 00	60 00
4619	Jacob Miller . . . . .	\$200 00	\$60 00
4623	John A. Traver }	4,105 00	400 00
6114	John A. Traver } . . . . . con.		
4662	Sarah A. Palmer. ....	300 00	225 00
4678	Orson D. Smith and another,	350 00	180 00
4748	John Benedict . . . . .	200 00	75 00
4749	George Denman . . . . .	135 00	70 00
4750	Rachel E. Houghtaling. ....	144 04	60 00
4751	Rachel E. Houghtaling. ....	6,100 00	435 00
4752	Christina Kern . . . . .	225 00	50 00
4756	Alice Stahlnecker, as admin- istratrix, etc. ....	600 00	80 00
4757	Charles B. Paddock. ....	627 00	100 00

No.	Name of claimant.	Amount claimed.	Amount of judgment.
4758	Charles M. Snow .....	\$205 85	\$125 00
4759	Mary R. Suits.....	565 00	150 00
4760	Edward Welch .....	225 00	95 00
4804	Lester Young .....	720 00	100 00
4811	Lewis J. Clifton.....	342 83	160 00
4812	Melissa J. Crossman.....	161 00	150 00
4813	Catherine Farley and others,	1,093 00	500 00
4816	Thomas L. Jewell.....	164 00	150 00
4817	Thomas Kelley .....	107 50	57 00
4818	John McGlynn .....	330 00	90 00
	others .....	1,200 00	250 00
4876	Dennison R. Herrick and others .....	730 00	425 00
5431	Matthew B. Cole.....	900 00	150 00
6100	James D. Ferguson.....	600 00	150 00
6099	Helena Borden .....	700 00	100 00
4656	Michael Smith .....	200 00	90 00
4257	Lewis J. Clifton } .....	1,520 00	275 00
5849	Lewis J. Clifton } .....		
4620	Robert Bruce Parks.....	1,650 00	250 00
4336	Volney Jones .....	200 00	75 00
4581	Adam Volkmar .....	1,144 00	Judg't for St.
4837	Angelo Gatti and another...	803 33	Judg't for St.
4810	William Prenath .....	1,400 00	351 45
4487	Edwin R. Reynolds.....	1,000 00	281 00
4971	Dan H. Cole } .....	3,000 00	1,003 60
5790	Dan H. Cole } .....		
4326	M. Katherine Hinds.....	1,369 00	250 00
4416	John Cox .....	1,500 00	300 00

No.	Name of claimant.	Amount claimed.	Amount of judgment.
4417	Spencer Tanner	\$1,400 00	\$550 00
6094	Spencer Tanner } .....con.		
4532	John Johns . . . . .	1,525 00	285 00
4612	Mary B. Thayer and another,	600 00	110 00
4738	Gilbert Brady . . . . .	300 00	110 00
4806	Eliza Dorrance . . . . .	300 00	140 00
4807	Mary J. Owens . . . . .	400 00	140 00
4860	Byron B. Brailey . . . . .	1,200 00	300 00
4928	R. Titus Coan . . . . .	2,500 00	570 00
4935	Charles H. Hitchcock	1,000 00	170 00
5343	Charles H. Hitchcock } ..con.		
4955	Charles E. Hart	8,000 00	250 00
5989	Charles E. Hart } .....con.		
4981	Orlando C. Adams . . . . .	400 00	250 00
5031	Rose Musfeldt . . . . .	175 00	140 00
5051	Joshua M. Sharpsteen . . . . .	1,000 00	500 00
5061	Simeon P. Howard . . . . .	1,880 00	210 00
5062	Rena Root . . . . .	1,350 00	280 00
5073	William Webber . . . . .	450 00	150 00
5078	Frank W. Rowland and others . . . . .	1,200 00	200 00
5266	Sophia Todd and others . . . . .	640 00	320 00
5414	Security Trust Company of Rochester . . . . .	200 00	135 00
5418	Wilbur J. Wheaton . . . . .	500 00	250 00
5857	John Long and others . . . . .	500 00	55 00
5938	Mary J. Cotter and another . . . . .	150 00	50 00
5961	Catherine Foster . . . . .	100 00	75 00
5982	Hawley J. Hendricks . . . . .	150 00	50 00
5990	Phebe A. Sprague . . . . .	2,000 00	300 00

No.	Name of claimant.	Amount claimed.	Amount of judgment.
6198	Charles B. Hawkins .....	\$200 00	\$90 00
6486	Charles E. Shafer.....	354 00	310 00
6440	John Cayton . . . . .	200 00	35 00
4891	Frederick E. Bliss.....	1,500 00	100 00
4001	Alfred Bort and another.		
	Final order upon remittitur of the Appellate Division, Supreme Court, Third De- partment, affirming the judgment of this court, dated October 23, 1901, in favor of claimant for \$339.80. No costs . . . . .	687 50	339 80
6233	Jennie Hilton . . . . .	210 00	90 00
4846	Frederick Walters . . . . .	1,200 00	71 04
4852	Eason Taber . . . . .	1,000 00	295 75
4640	George W. L. Smith.....	550 00	275 00
5311	George W. L. Smith.....	2,500 00	1,829 00
4982	Ann Keenan . . . . .	3,562 60	1,546 77
6556	Charles A. Cramer . . . . .	250 00	10 00
4040	James Harrington and an- other . . . . .	1,970 00	985 00
5156	Furnaceville Iron Company..	153,881 00	Judg't for St.
5157	Andrew Onderdonk . . . . .	69,701 47	Judg't for St.
4602	Delia E. Northrup, individu- ally, and others, as execu- tors, etc. . . . .	1,550 00	325 00
Totals . . . . .		\$656,326 94	\$142,195 21

*Third — Claims Other Than Canal Claims Filed Under Special  
Acts of the Legislature.*

No.	Name of claimant.	Amount claimed.	Amount of judgment.
5046	American Bank Note Com- pany. Final judgment upon new hearing ordered by the Appellate Division, Su- preme Court, Third Depart- ment, upon appeal from the judgment of this court in favor of the State, dated December 19, 1900 . . . . .	\$1,386 78	\$1,386 78
3246	Herbert P. Bissell, as re- ceiver, etc. Final judg- ment upon the order of the Appellate Division, Su- preme Court, Third Depart- ment, affirming the judg- ment of this court in favor of the State, and for \$111.22 costs of appeal against claimant . . . . .	17,391 14	Judg't for St.
4978	Town of Long Lake . . . . .	14,707 46	6,364 77
1328	Gustavus C. Hanus . . . . .	7,925 00	Judg't for St.
5402	Sarah M. Holcomb . . . . .	168 50	Judg't for St.
5120	Frederick W. Brown . . . . .	7,730 60	2,299 73
4168	Walter Dickson, as surviving partner, etc. . . . .	3,686 05	3,686 05

No.	Name of claimant.	Amount claimed.	Amount of judgment.
5267	Anna Smith. Final judgment upon remittitur of the Ap- pellate Division, Supreme Court, Third Department, affirming the judgment of this court, dated January 30, 1901, dismissing the claim. Judgment for \$68.88 costs of appeal against claimant . . . . .	\$10,000 00	Judg't for St.
5350	The E. G. Bernard Company,	438 00	\$150 00
3296	Charles McKinstry . . . . .	3,093 00	Judg't for St.
5812	Barbara Eyre Schaub, as ex- ecutrix, etc. . . . .	12,000 00	Judg't for St.
6466	F. W. Devoe and C. T. Rey- nolds Company . . . . .	4,699 82	4,699 82
6467	Eppens, Smith & Wiemann Company . . . . .	6,668 12	6,668 12
5235	R. Perkins Mitchell . . . . .	630 52	630 52
Totals . . . . .		<u>\$90,524 99</u>	<u>\$25,885 79</u>

*Fourth—Claims Other Than Canal Claims and Not Filed Under  
Special Acts.*

No.	Name of claimant.	Amount claimed.	Amount of judgment.
5842	H. Nelson Brown, as trustee, etc. . . . .	\$4,461 62	\$4,017 10
1684	The City of Utica . . . . .	240 47	Judg't for St.
2218	The City of Utica . . . . .	474 16	Judg't for St.
2293	The City of Utica . . . . .	864 61	Judg't for St.



No.	Name of claimant.	Amount claimed.	Amount of judgment.
5287	The Boylan Manufacturing Company. Final judgment upon the order of the Ap- pellate Division, Supreme Court, Third Department, affirming the judgment of this court, dated June 7, 1901, dismissing the claim. Judgment for \$101.24 costs of appeal against claimant,	\$25,000 00	Judg't for St.
5132	Long Island Railroad Com- pany . . . . .	21,135 19	Judg't for St.
6304	Titus B. Meigs and another..	750 00	\$750 00
3506	Frederick R. Place . . . . .	1,173 81	Judg't for St.
4996	Fletcher C. Peck . . . . .	311 88	Judg't for St.
4422	George F. Gallagher . . . . .	379 75	Judg't for St.
4452	William Foster Kelly . . . . .	301 50	Judg't for St.
5366	Matthew Edgar . . . . .	1,150 00	Judg't for St.
5170	Edward F. Milliken and an- other . . . . .	8,994 37	7,043 96
6234	Michael E. O'Connor and an- other . . . . .	7,660 50	5,258 33
5420	Vilas National Bank of Plattsburg . . . . .	10,000 00	3,440 28
4849	Charles E. Smith and an- other . . . . .	3,144 27	1,700 00
4063	John H. Nelson . . . . .	403 80	403 80
5259	Benton Turner . . . . .	128,656 25	20,671 86
Totals . . . . .		<u>\$215,102 18</u>	<u>\$43,285 33</u>

## RECAPITULATION.

	Amount claimed.	Amount of judgment.
First class. General canal claims,	\$603,222 84	\$239,898 05
Second class. Nine millions improve- ment . . . . .	656,326 94	142,195 21
Third class. General claims under special acts . . . . .	90,524 99	25,885 79
Fourth class. General claims not under special acts,	215,102 18	43,285 33
	<hr/>	<hr/>
Totals . . . . .	\$1,565,176 95	\$451,264 38
	<hr/>	<hr/>

## DECIDED IN 1902.

Four hundred and forty-seven claims have been heard and decided during the year.

The aggregate amount claimed in such claims is \$1,565,176.95, exclusive of interest.

The aggregate amount of judgments in such claims is \$451,624.38.

## FILED IN 1902.

During the present year 485 claims have been filed.

The amount claimed in such 485 claims is \$10,963,019.77, exclusive of interest.

## CLAIMS ON FILE.

The whole number of claims now on file and not decided is 1,612.

The aggregate amount claimed in such claims, exclusive of interest is \$13,809,375.91.

**NINE MILLIONS CANAL IMPROVEMENT CLAIMS.**

These claims were first filed in the year 1899, and the following statement covers the years 1899, 1900, 1901 and 1902.

Whole number of claims filed 1,026.

Aggregate amount claimed \$2,574,003.57, exclusive of interest.

Number of such claims heard and decided 834.

Total amount claimed in the claims decided, \$2,136,422.21, exclusive of interest.

Aggregate of judgments rendered \$316,723.39.

Claims pending 212.

Aggregate amount claimed in claims pending \$437,581.36, exclusive of interest.

All of which is respectfully submitted.

CHARLES T. SAXTON,  
GILBERT D. B. HASBROUCK,  
THEO. H. SWIFT,

*Judges of the Court of Claims.*

Dated ALBANY, N. Y., *December 31, 1902.*







SEVENTH ANNUAL REPORT

OF THE

# COURT OF CLAIMS

OF THE

STATE OF NEW YORK

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TRANSMITTED TO THE LEGISLATURE, JANUARY 20, 1904

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ALBANY  
OLIVER A. QUAYLE  
STATE LEGISLATIVE PRINTER  
1904

JUN 23 1916



# STATE OF NEW YORK.

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No. 16

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## IN SENATE,

JANUARY 20, 1904

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### Seventh Annual Report of the Court of Claims of the State of New York

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STATE OF NEW YORK:

COURT OF CLAIMS, CLERK'S OFFICE,

ALBANY, *January 19, 1904.*

Hon. FRANK W. HIGGINS, *President of the Senate:*

Dear Sir—Herewith I have the honor to transmit to you, for the Legislature of the State of New York, the seventh annual report of the Court of Claims of the State of New York, as required by law.

Very respectfully yours,

CHARLES E. PALMER,

*Clerk.*



# REPORT

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*To the Legislature of the State of New York:*

The statute requires that the Court of Claims "at the commencement of each session of the Legislature and at such other times during the session as it may deem proper, or as the Senate or Assembly may request," report "to the Legislature the claims upon which it has finally acted, with a statement of the judgment in each case."

The Court, in accordance with the requirements of the statute, submits its seventh annual report.

For the purposes of this report the claims heard and decided during the year 1903 are divided into four classes, as follows:

*First. General canal claims.*

This class embraces all claims under section 37, chapter 338, of the Laws of 1894, known as the General Canal Law, excepting the so-called canal improvement claims in the second class.

*Second. Claims filed on account of the \$9,000,000 canal improvement.*

The liability of the State in these claims is fixed by the General Canal Law, but the claims arose during the progress and on account of the canal improvement work.

*Third. Claims other than canal claims filed under special acts of the Legislature.*

The claims in this class are known as general claims, and arose in other ways than on account of the canals. They were sent to this Court under special acts of the Legislature.

*Fourth. General claims not under special acts.*

These claims do not arise on account of the canals and are not filed under special acts.

## First—Canal Claims Filed under the General Act.

No.	NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
3163	Alfred E. Stacey.....	\$19,438 00	\$9,292 50
4169	Joseph Podvin .....	1,500 00	1,320 52
4245	James C. Daly.....	1,140 00	614 85
4691	Daniel Cahill .....	350 00	407 12
4594	Patrick J. Daly.....	655 00	233 37
4639	James Guerin .....	700 00	849 10
4661	Peter Gallagher .....	275 00	215 58
4688	Nelson Jerome Miller.....	200 00	121 20
4536	Robert Parker and another.....	375 00	468 22
4538	Robert Parker .....	500 00	966 51
4697	James Ash .....	1,000 00	823 94
4705	Michael E. Daly.....	1,087 00	555 28
4692	Patrick B. Daly.....	2,905 00	1,551 05
4698	Thomas Meneeley .....	500 00	613 90
5348	Charles Fenton .....	200 00	226 76
5769	Elmer J. West.....	120 00	185 41
5939	Leonard Weller .....	500 00	160 81
6241	Fred Fink .....	1,500 00	Judgment for State.
5461	John McCabe .....	10,000 00	Judgment for State.
6491	Jacob Mitchell .....	500 00	Judgment for State.
6547	Frank W. Ellis.....	390 00	Judgment for State.
6548	Charles W. Mitchell.....	346 00	Judgment for State.
6557	William Greeley .....	500 00	Judgment for State.
6592	Ernest H. Schopmeier.....	125 00	71 26

6063	Jeremiah Crowley .....	1,000 00	Judgment for State.
6565	Benedict Brunner and another .....	1,220 00	160 00
2337	New York Central and Hudson River Railroad Company .....		(Costs) 108 91
6204	Alfred Hutchings .....	1,000 00	Judgment for State.
6332	Margaret T. S. Riggs .....	2,500 00	295 12
6203	William H. Bockoven and another .....	125 00	58 74
6382	William H. Bockoven .....	1,975 00	175 98
6383	Mary A. Dean .....	199 00	70 00
6352	The Wolcott Company .....	200 00	200 00
4969	Amos Jackson .....	140 00	75 00
5294	George Denman .....	184 00	85 00
5296	John C. McIntyre and another .....	196 00	50 00
4755	Frank A. Jackson .....	350 00	112 50
4954	Frank A. Jackson .....	350 00	112 50
4409	George W. Monroe .....	300 00	200 00
4681	George Suiter .....	1,665 00	300 00
5080	Theodore Walrath .....	200 00	60 00
5194	Chauncey Baum .....	268 00	236 00
5195	Fred Dutcher .....	159 00	48 00
5196	Elson Phelps .....	422 00	150 00
5197	Millard S. Porter .....	1,788 00	720 00
5198	Phonora A. Ryder .....	864 00	50 00
5199	Charles H. Schell .....	460 00	370 00
5200	John Schell .....	584 00	380 00
5236	Martin Becker .....	570 00	190 00
5260	Thomas W. Sheedy .....	100 00	50 00
3911	William Storms .....	2,668 00	Judgment for State.

FIRST—CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Continued).

No.	NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.	
			Judgment for State.	Judgment for State.
4841	Charles A. Barnes.....	\$1,240 00		\$1,052 80
5229	Arvilla Campbell et al.....	200 00		626 83
3720	Oneida Malting Company.....	3,945 00		200 00
4131	Leman J. Carrier, as receiver.....	2,138 98		2,945 50
6883	Wessel V. O. Ten Brock.....	363 00		3,356 50
1563	Margaret Wiley.....	6,000 00		589 10
1564	Charlotte Dodd, administratrix, etc.....	5,700 00		550 00
1565	Elizabeth Keller, as executrix, etc.....	1,000 00		75 00
6207	Patrick H. Gilgallon.....	1,220 80		300 00
6340	Livina J. Buisson.....	850 00		305 00
6569	Charles E. Clark.....	520 00		1,015 29
5246	Susan E. Rathbun.....	555 00		905 06
5245	Michael J. Lawless and another.....	1,800 00		1,086 07
5244	Globe Milling Company.....	1,400 00		105 05
5248	Allen V. Smith.....	1,400 00		450 25
5270	Frank Nightingale.....	150 00		130 00
5271	William Nightingale, Jr.....	647 50		130 00
6614	John F. Riley et al.....	300 00		130 00
6615	John Riley.....	316 00		746 35
6290	Allen Lake.....	2,000 00		426 32
6291	Catherine Lake.....	1,000 00		230 27
6292	Jane Lake.....	349 00		
5966	Carrie E. I. Chaffee, an infant, by Edward D. Chaffee, her guardian, ad litem.....	30,000 00		3,311 00

[SENATE

5201	Ardelle Blake .....	60 00	25 00
5202	John Blake .....	60 00	35 00
5203	Elmer Bouton .....	160 00	60 00
5204	Margaret Brown .....	864 00	150 00
5205	Ellen Burghart .....	200 00	125 00
5206	Eliza Clegg .....	45 00	15 00
5208	John Howard .....	150 00	40 00
5209	William Johnson .....	160 00	128 00
5037	Ira Faucher .....	700 00	350 00
5038	Isadore Putzinger .....	130 00	64 00
4845	Barbara Schlosser, as administratrix, etc. ....	350 00	175 00
5217	Mary A. Shears .....	180 00	60 00
5233	Sanford D. Tilley .....	200 00	60 00
4724	Mina Van Auker .....	80 00	15 00
5421	Catherine Zens .....	5,960 00	1,124 17
6256	Lester Greene .....	600 00	125 00
6257	Marvin A. Jones .....	450 00	175 00
4754	Daniel McNamara .....	665 00	100 00
5174	Julia Tinion .....	5,500 00	585 00
4972	Eva L. Werner .....	1,150 00	578 60
5081	William Everson .....	5,050 00	2,358 00
5247	Isaac N. Sherman .....	1,700 00	Judgment for State.
5253	James Van Ornam .....	262 50	Judgment for State.
5288	Adolph Kirchner and another .....	3,680 00	462 87
5262	William G. Stearns and another .....	444 00	212 88
5720	Charles H. Babcock, ind., and as executor, etc. ....	207 73	Judgment for State.
5542	William K. Daggs .....	365 60	Judgment for State.

# FIRST—CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Continued).

No.	NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
5719	Henry W. Matthews.....	\$740 18	Judgment for State.
5625	Merietta T. Matthews et al.....	16 25	Judgment for State.
5645	Joseph Nunn .....	159 05	Judgment for State.
5084	Michael McConnell .....	50 16	Judgment for State.
5085	Thomas McGraw .....	92 59	Judgment for State.
5136	William Hoff .....	129 93	Judgment for State.
5086	Michael Murphy .....	92 59	Judgment for State.
5087	Martin Phalen .....	50 16	Judgment for State.
5088	Edward S. Walters .....	269 50	Judgment for State.
5089	David Wheeler .....	129 50	Judgment for State.
5128	George Hopkins .....	236 25	Judgment for State.
5133	Charles Graham .....	122 50	Judgment for State.
5137	George Van Tine.....	128 92	Judgment for State.
5172	Harvey McGraw .....	248 50	Judgment for State.
6877	John B. Lander.....	250 00	\$50 00
2344	Horace H. Dibble.....	660 00	1,106 51
6879	Jacob Van Der Wart.....	200 00	60 00
6876	John Griffin and another.....	4,001 00	80 00
6874	Alexander Bristol .....	200 00	70 00
6052	Cora Weed .....	300 00	188 22
6646	Frederick L. Charles.....	2,700 00	695 00
6659	Charles G. Sybrandt.....	180 00	65 00
6660	Andrew Hoffman .....	200 00	50 00
5125	James Reynolds .....	10,000 00	Judgment for State.



3473	Lewis Brodbeck .....	2,000 00	Judgment for State.
3595	The Lumber Exchange Bank. ....	2,703 26	Judgment for State.
3945	Union Marine Insurance Company (Limited) .....	2,481 72	Judgment for State.
6816	Robert W. Fielder .....	60 00	24 00
6835	William H. Smith .....	60 00	40 00
7158	Christian Auspelmyer .....	150 00	75 00
6990	Charles Fenton .....	200 00	175 00
7074	Peter E. Dempsey .....	150 00	40 00
7107	William Taylor .....	150 00	60 00
6619	Jennie L. Leonard .....	108 00	75 80
6011	Ellis Widner .....	900 00	Judgment for State.
5091	Hattie C. Bristol } Consolidated .....	908 00	112 85
6875	Hattie C. Bristol }		153 67
6338	Cora Weed .....	1,200 00	41 08
7052	Cora Weed .....	200 00	
7252	Charles F. Horstmyer .....	598 00	325 00
6603	Marshall E. Davison .....	80 00	26 00
5192	George Hawley .....	100 00	60 00
5178	Frances A. Brown .....	100 00	75 00
5138	Walter Sanders .....	300 00	100 00
6605	Stephen Simmons .....	100 00	35 00
6650	John P. Angus .....	200 00	60 00
6676	David J. Kyser .....	200 00	60 00
6989	Mary A. Allen .....	320 00	60 00
7224	J. B. Hartley et al. ....	400 00	80 00
7288	Emeline Lamb .....	210 00	50 00
7287	Christian Auspelmyer .....	75 00	37 50

## FIRST—CANAL CLAIMS FILED UNDER THE GENERAL ACT—(Concluded).

No.	NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
7191	Daniel N. Place and another.....	\$200 00	\$72 00
7267	John L. Smith.....	180 00	43 00
7124	Fred Linendoll.....	200 00	100 00
7141	Dewit C. Linendoll.....	200 00	50 00
6613	Catherine O'Brien.....	320 00	125 00
6958	Adolph Palinovske and another.....	200 00	65 00
6604	John Finouer, Sr.....	150 00	36 00
5234	Jacob Salem Snell and Myron Snell, as executors, etc.....	200 00	60 00
6082	Catherine Doxstader.....	200 00	80 00
6036	Charles Doxstader.....	600 00	70 00
6568	Milford Van Slyke.....	200 00	100 00
7286	James Abeel.....	650 00	230 87
2958	Putnam A. Smith.....	148 75	Judgment for State.
7186	J. B. Hartley et al.....	300 00	Judgment for State.
6035	Henry Krenzer.....	210 00	Judgment for State.
6026	Robert Marlin.....	291 00	Judgment for State.
6025	Joseph Krenzer.....	365 00	Judgment for State.
6024	H. Clayton Andrews.....	215 00	Judgment for State.
6010	Thomas Rossitter.....	180 00	Judgment for State.
6009	Charles H. Johnson.....	383 00	Judgment for State.
6008	Henry Hilderbrand.....	340 00	Judgment for State.
6034	Ammon Curtice.....	365 00	Judgment for State.
6074	George Krill.....	371 00	Judgment for State.
6250	Thomas McBride.....	184 00	Judgment for State.

6251	Charles Converse .....	72 00	Judgment for State.
6060	Gilbert H. Reynolds .....	1,200 00	Judgment for State.
6027	George Schmitt .....	202 00	Judgment for State.
6007	Annie Coates .....	490 00	Judgment for State.
	Total .....	\$200,489 92	
		\$53,657 54	

## Second—Claims Filed on Account of the Nine Millions Canal Improvement.

No.	NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
4337	Onondaga County Savings Bank.....	\$13,311 34	\$684 00
5029	Hattie L. King.....	703 15	100 00
5957	Grace A. Durfee.....	500 00	278 20
6492	Frank W. Rowland et al.....	476 00	360 00
6545	Irving Rouse.....	100 00	60 00
5983	Lucy J. Wright.....	150 00	50 00
6562	William Whitcomb.....	1,000 00	477 50
6693	Eva E. Tripp.....	195 00	60 00
4751	Rachael E. Houghtaling.....	1,600 00	456 75
4448	Edward Van Dusen et al.....	4,180 00	Judgment for State.
4920	Thomas L. Jewell.....	190 00	Judgment for State.
5000	Catherine Harrington.....	360 00	150 00
4753	John C. McIntyre and another.....	840 00	110 00
4953	Henrietta M. Fitzgerald and another.....	279 00	140 00
4887 } 6853 }	Marian E. Coe, ind., and as administratrix, etc., consolidated.	11,148 00	804 69
5135	Warren-Scharf Asphalt Paving Company.....	110,167 53	Judgment for State.
5163	David H. Evans } Consolidated.....	2,078 00	1,107 47
6388	David H. Evans }		
4918	Ellen J. Keller.....	185 00	100 00
5211	James Lawler.....	200 00	25 00
5240	Emithene Higgs.....	1,885 00	150 00
4921	Frances M. Seager.....	410 00	120 00
4914	Lydia C. Pratt.....	900 00	235 00

5405	Edwin E. Spalding.....	1,500 00	500 00
5129	Rozel K. Bemis and Solomon K. Bemis, as executors, etc.....	621 50	587 50
5282	Sydney J. Kelly, as administrator, etc.....	2,450 00	161 14
4952	Mary Butler and another.....	1,000 00	Judgment for State.
4850	John Becker .....	4,807 25	3,883 99
6006	John Becker .....	3,965 00	2,226 19
5176	William Dinchart .....	10,000 00	Judgment for State.
4934	Rosalie Sudorf .....	280 00	75 00
5972	Lizzie S. Holmes.....	500 00	400 00
6075	Lockport Gas and Electric Light Company.....	1,000 00	1,000 00
6057	Edwin E. Spaulding.....	2,500 00	Judgment for State.
5956	Livonia N. Congdon, as executrix, etc.....	900 00	44 69
5794	Livonia N. Congdon.....	1,200 00	49 28
6588	Elizabeth S. Marvin.....	23,800 00	10,839 73
5055	Aaron J. Bickford.....	1,050 00	85 59
5793	Aaron J. Bickford.....	1,000 00	391 60
4949	Kirby W. Lewis.....	200 00	95 00
5263	Thomas McNamara .....	200 00	85 00
6436	Edward Van Dusen.....	175 00	202 15
4923	Henry Barnes .....	900 00	Judgment for State.
4513	Emeline Lamb .....	1,400 00	50 00
7140	Jennie L. Leonard.....	600 00	410 53
4983	Mary Hildreth .....	620 00	249 63
3813	William D. Lenhart.....	2,000 00	1,383 95
4960	James Abeel .....	3,785 00	320 66
5093	David E. Sanders.....	1,250 00	166 46
1806	Mary F. Powell, ind., and as administratrix, etc., et al.....	1,500 00	600 00

## SECOND—CLAIMS FILED ON ACCOUNT OF THE NINE MILLIONS CANAL IMPROVEMENT—(Concluded).

No.	NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
5031	Rose Musfeldt .....	\$175 00	\$119 90
6666	Alexander Bristol .....	560 00	340 00
5131	Charles E. Williams et al. ....	86,549 00	10,701 21
5064	E. Brown Baker and another, under firm name of Baker and Banker .....	57,803 73	11,837 63
	Total .....	\$365,149 50	\$52,275 44

### Third—Claims other than Canal Claims Filed under Special Acts of the Legislature.

No.	NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
5871	Frederick W. Sander.....	\$12,236 50	\$5,654 00
4943	Benjamin E. Hall.....	12,000 00	2,958 80
	Total .....	\$24,236 50	\$8,612 80

## Fourth—Claims other than Canal Claims and not Filed under Special Acts.

NO.	NAME OF CLAIMANT.	Amount Claimed.	Amount of Judgment.
4003	Thomas Parker .....	\$975 00	Judgment for State.
4002	James H. Akins.....	1,145 00	Judgment for State.
4010	George D. Weaver and another.....	110 00	Judgment for State.
6089	Marie L. Benoit.....	510 00	Judgment for State.
4453	Addison L. Upham.....	2,737 99	
5346	William W. Wheeler.....	3,969 92	Judgment for State.
6558	Byron M. Shultz, ind., and as stockholder of the Buffalo Stone and Cement Co., Mary Shultz et al.....	10,000,000 00	Judgment for State.
5784	Richard J. Williams and Edward Manogue, comprising the firm of Williams & Manogue.....	2,194 57	Judgment for State.
704	O-ja-geht-ti et al.....	3,450 00	Judgment for State.
906	William Kowalski.....	425 50	Judgment for State.
939	Austin D. Newman.....	50 00	Judgment for State.
1086	The Northern Central Railway Company.....	14,616 64	Judgment for State.
1087	Lehigh Valley Railroad Company.....	10,756 66	Judgment for State.
1088	The Geneva, Ithaca & Sayre Railroad Company.....	9,917 61	Judgment for State.
1151	Thomas Hanley.....	100 00	Judgment for State.
1193	Milton Pelton.....	600 00	Judgment for State.
1257	Harry M. Lynch.....	350 00	Judgment for State.
1324	Cassius C. Corner.....	13,000 00	Judgment for State.
1661	George L. C. Linde.....	10,000 00	Judgment for State.
2265	Michael Harrison.....	5,000 00	Judgment for State.
2510	Benjamin McGregor.....	233 00	Judgment for State.
2701	John Dolan.....	486 00	Judgment for State.



2702	Grace H. S. Holsapple.....	788	91	Judgment for State.
2703	John S. Mellen.....	486	00	Judgment for State.
2728	W. H. DeWitt Bell.....	531	00	Judgment for State.
2731	Joseph Cassidy.....	211	00	Judgment for State.
2732	Thomas B. Cotter.....	152	15	Judgment for State.
2792	Charles A. Hart.....	35	00	Judgment for State.
3462	George W. Gilbert.....	782	50	Judgment for State.
3779	Charles F. Scattergood and another.....	200	00	Judgment for State.
5015	Andrew Morhouse.....	3,000	00	Judgment for State.
776	Hudson C. Tanner.....	3,175	50	Judgment for State.
2730	Daniel F. Behan.....	439	34	Judgment for State.
Total .....		<u>\$10,090,429 29</u>		.....

**RECAPITULATON.**

	Amount claimed.	Judgment.
First class. General canal claims.	\$200,489 92	\$53,657 54
Second class. Nine millions improve- ment .....	365,149 50	52,275 44
Third class. General claims under special acts .....	24,236 50	8,612 80
Fourth class. General claims not under special acts..	10,090,429 29	.....
Total .....	\$10,680,305 21	\$114,545 78

**DECIDED IN 1903.**

Two hundred and seventy-one claims have been heard and decided during the year.

The aggregate amount claimed in such claims is \$10,680,305.21, exclusive of interest.

The aggregate amount of judgments in such claims is \$114,545.78.

**FILED IN 1903.**

During the present year 668 claims have been filed.

The amount claimed in such 668 claims is \$873,457.14, exclusive of interest.

**CLAIMS ON FILE.**

The whole number of claims now on file and not decided is 2,009.

The aggregate amount claimed in such claims, exclusive of interest, is \$4,002,527.84.

**NINE MILLION CANAL IMPROVEMENT CLAIMS.**

These claims were first filed in the year 1899, and the following statement covers the years 1899, 1900, 1901, 1902 and 1903.

Whole number of claims filed, 1,171.

Aggregate amount claimed, \$2,767,542.78, exclusive of interest.

Number of such claims heard and decided, 888.

Total amount claimed in the claims decided, \$2,501,571.71, exclusive of interest.

Aggregate of judgments rendered, \$368,998.83.

Claims pending, 303.

Aggregate amount claimed in claims pending, \$265,971.07, exclusive of interest.

All of which is respectfully submitted.

G. D. B. HASBROUCK,

THEO. H. SWIFT,

A. J. RODENBECK,

*Judges of the Court of Claims.*

Dated Albany, N. Y., December 31, 1903.









